A SECOND HISTORICAL LETTER

TO

SIR J. C. HIPPISLEY, BART. LLD. FRAS. MP.

RECORDER OF SUDBURY, AND BENCHER OF THE HONORABLE SOCIETY OF THE INNER TEMPLE.

UPON HIS PUBLIC CONDUCT IN THE

CATHOLIC CAUSE.

BY

FRANCIS PLOWDEN, Esq.

Occasioned by his animadversions upon the Author in the House of Commons in May and November 1814.

Incorruptæ fides, nudaque veritas. Hor.

PARIS:

Printed at the English Press by M. Nouzou, 9, Clery-Street, and Sold at Galignani's French and English Library, 18, Vivienne-Street.

1815.

ERRATA.

PAGE.	LINE.	
70 —	19	for *Catholic* read *Catholici.*
70 —	35	for *mæreri* read *mereri.*
	APPENDIX.	
ij —	31	for *Societati* read *Societatis.*
v —	29	for *Monitis* read *Moniti.*

A SECOND

HISTORICAL LETTER

TO

SIR J. C. HIPPISLEY, BART. and M. P.

SIR,

I HAD the honour of addressing you in a printed *Historical Letter*, which I wrote in the summer of 1813, but which was not published* till the spring of 1814. That letter ran into unavoidable prolixity (171 pages), because the object of it was to unravel a system of policy and religion, which for more than 20 years, for very marked but unavowed purposes, with great weight of affluence and influence, has been indefatigably pushed forward under the mask of exclusive liberality, purity and loyalty. As however it has been many months before the public (I grieve to say with much typographical inaccuracy), I lay in my claim to refer to the various subjects of it by assertion; assuming, that no impartial reader will find any thing advanced in it without proof, evidence or notoriety.

* The title of it is, « An Historical Letter to Sir John Cox « Hippisley, Bart. and M. P.; being an Historical Portrait « taken of him from the life, whilst acting in the Catholic « Cause; occasioned by his Letters to the Earl of Fingal, on « the Subject of the Catholic Claims: London, 1813; by « *Francis Plowden*, Esq.—*Incorrupta fides nudaque veri-* « *tas*. Hor.—Dublin: Printed by P. Blenkinsop, 129, Capel- « street: 1814.»

Under this thorough and fair understanding, I enter my formal protest against your appeal to the notes of your short-hand writer*, or against any postliminious composition of your own speeches; I insist on the substantial accuracy of several concurrent London newspapers, in reporting your speeches on the next morning after they have been delivered. When I retail, notice or animadvert upon such reports, without adding, suppressing, or altering them, I appeal to the candid, whether I lie open to the imputation you have brought against me in your first letter to Lord Fingal? « I will « not trouble your Lordship with any notice of the « verbal inaccuracies of expression, which Mr. « Plowden has chosen to put in my mouth, on the « loose authority of some newspaper?» Heedless then of any such senseless imputation, I confidently assume, upon the substantially concurrent testimony of the leading London newspapers, that standing in your place in the House of Commons, on the 17th and 24th days of May, 1814, you spoke falsely, unfairly, and injuriously of my writings and opinions; as you also did in a more marked manner on the 21st of November in the same year. The circumstances, under which you have availed yourself of your senatorial character, in order to misrepresent and decry my historical writings, and of course to prevent their circulation, bespeak something very like a consciousness of wrong, vindictive soreness, and dread of reply. Highly do I

* 1st Letter to Lord Fingal, p. 18, « I will beg your Lordship's indulgence in recapitulating from the short-hand writer's report, published within a few days of the debate, by « Ridgeway, what I avow in substance to have stated on the « motion of Mr. Canning.»

appreciate the privilege of Parliament, which entitles a member in his place to utter all manner of truth relevant to the subject of debate. But the Constitution gave not that freedom of speech as a shield or engine for delusion, revenge, calumny, or the indulgence of any bad passion. If the common Law of England allow the possession and use of arms in defence of life, limb, or property, will it refuse the free use of the press to repel slander, refute falsehood, and defeat malice, when brought to bear upon private property, character, reputation, veracity and honor? This transcendent right is universal; it admits of no exception: more especially, when an absentee is assailed behind his back, without notice or privity, and without the power or means of instantly meeting the charge by friend, counsel, or other representative.

I am sensibly alive to the thorny task of writing cotemporary history. In my postliminious preface to the *Historical Review of the State of Ireland*, I contrasted the avowal of Mr. Hume, *that no man had arose, who has been able to pay an entire regard to truth, and has dared to expose her without covering or disguise to the eyes of the prejudiced public*, against the declaration of an honest Englishman, who carried his history from the Conquest down to the very year of his death, Matthew Paris, who died in 1259, the 43d of Henry III. *Dura est enim conditio historiographorum: quia si vera dicant, homines provocant: si falsa scriptis commendant, Dominus, qui veridicos ab adulatoribus sequestrat, non acceptat.* For hard is the lot of the historian: if he speak truth, he offends man; if by his writings he countenance falsehoods, the Lord, who segregates truth-tellers from flatterers, will not receive him. With your permission, Sir John, I will continue to side

with the untemporizing monk of *St. Alban's*, against the accommodating Philosopher of *North Britain*.

It would be as distressing to the writer, as irksome to the reader, to work through an argument, to disprove the general charge of infidelity and inaccuracy in an historian. General inculpation is fairly met by the general negative. I affect not to complain, that any man notices, combats, censures, or contradicts any thing I have published. I am responsible for every word. And I again tell you *, « I object not to any mode of warfare ad-
« mitted amongst civilized nations: not even to
« the *ruses de guerre*, as usually understood: but
« I admit not of an axiom, too commonly taken
« up and acted upon, *dolus an virtus quis in*
« *hoste requirat*. I bar from the contest, fraud,
« treachery, and untruth.» Upon these terms am I prepared to take issue with you, Sir John, or any other person, upon any part of any of my publications. Until some such contest be set on foot, upon some one or more particular points, redundant will be every word I can say in support of my historical veracity, beyond the solemn avowal of an unvariable and active wish and intention to attain and disclose the truth, strengthened with a thoroughly considered repetition of the declaration, which I made to the Prime Minister (now Lord Sidmouth,) in 1804, with which I closed my postliminious preface published in that year. I am ready to swear, that when I wrote my several historical works concerning Ireland, I neither knew nor believed any statement therein to be false or substantially inaccurate.

As you, Sir John, have prominently busied your-

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* Hist. Let. p. 25.

self in the Catholic question*, ever since it came into public discussion, you will allow, that, as the historian of Ireland, I was under an indispensable obligation of frequently bringing you forward, in rehearsing or referring to the occurrences in the progress of that cause; and confident I am, that you wish not to be shut out of that class of persons (1), concerning whom Tully prescribes the rule referred to in the preface (p. ix.) to my *Historical Letter to Columbanus*: « that not only the « exploits of the actors themselves be set forth, « but the general conduct and character of such of « them, as have any pretensions to a name and re« putation in life.» You appear, however, dissatisfied with the manner, in which I have endeavoured to perform that primary duty of the historian. Your reasons and grounds for that dissatisfaction, you have brought before the public in the form of two letters to the Earl of Fingal; which you inform us in your advertisement to them, « were origi« nally transmitted to the Editor of the *British* « *Press* and *Globe*, as it was desirable to procure « for them a more extensive circulation than is « usually obtained in the form of a pamphlet.» You boast of (2) *a natural solicitude to obviate misconstruction, and to repel insinuation, which it is by no means unbecoming to feel in a cause, of which I have always been the zealous, but temperate advocate.* You courted publication through the *Press* and *Globe* newspapers, because (to continue your own words) *they present to me*

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* « A cause, of which I have always been the zealous, but « temperate advocate.»—Sir J. C. Hippisley's first letter to Lord Fingal, p. 5.

(1) Hist. Let. to Sir J. C. Hippisley, p. 3.

(2) Let. to Lord Fingal, p. 5.

one of the readiest and best avenues, by which my statements can find their way to the public, and particularly that part of the public, who are in communion with your Lordship *.

In order to justify and defend your conduct in this cause, you had fair resort to a free press. You made out your own case in two printed letters to the Earl of Fingal, one of which you date from Stone-Easton House, January 8, the other January 15, 1813; and at the end of them you inform your readers, that a *third letter* to the same nobleman, *with supplementary documents, will speedily be published*. This promised letter, if ever published, has not yet come under my eyes. I will not quarrel with you, Sir John, about the form, in which you have chosen to let out your thoughts through the press. There was however an attempt at finesse, in addressing them to a respectable Roman Catholic nobleman, whom you hold forth to the public, from your long habits of confidential intimacy, as being in full unison and sympathy with you on the subject of them: and in highly colouring (1) « the deserved influence his Lordship « must naturally be supposed to have acquired « over the body, which has on so many occasions « made him the principal organ of their resolves, « must in the public estimation, at least, have « justly rendered him the arbiter of their feelings. » Whoever publishes a letter inscribed to a particular person, wishes, of course, that it should be read

* In my former letter, p. 27, I remarked hereupon. « This « anticipated solicitude to *obviate misconception* and *repel* « *insinuation*, would in either a *double* or a *doubtful* charac- « ter, argue something like a consciousness, that the state- « ments wanted perspicuity or credit. »

(1) 1st Let. to Lord Fingal, p. 1, 2.

by more than the individual, to whom it is addressed. You frankly tell us,* « *But, my address has motives that extend beyond myself. Your Lordship, and those of your religious communion, have a much deeper interest in the facts, which I shall think it my duty to state.* In this I completely sympathise with you. But I go much further: for my address to the public in my first *Historical Letter* to you, as well as in this second, involves not only the dearest interests of those of the Roman Catholic communion, but many facts, opinions and principles, which go to affect the harmony, strength, and welfare of the British Empire. Let us then for a moment lose sight of the glitter, glare, and lustre of the nobility, title and dignity of the persons, (1) to whom our respective letters are addressed; and in plain English avow, and be it so understood by all our readers, that your letters to Lord Fingal are the intended answer to my representations of different parts of your conduct in advocating, as you say you did, *zealously and temperately*, the Catholic cause. Therefore, in the name of your noble correspondent, you invite all your readers « to pay particular attention to my « Historical Letter to *Columbanus*, and to the third « volume of my Continuation of the *History of* « *Ireland*, published in 1811.» And my Historical Letter to you, published by Blenkinsop, in

* 1st Let. to Lord Fingal, p. 5.

(1) I have to apologize to the worthy Baronet, for not having, in the first Historical Letter, dignified him with his full title and description. I have endeavoured to make the *amende honorable* by displaying on the face of this, the several claims to respect, which he has affixed to the favorite work largely circulated, but not published by him in 1806, viz. *The Substance of additional Observations, intended to have been delivered in the House of Commons.*

Dublin, 1814, is the reply to that answer; to which, if report speak truly, you do not mean to rejoin; having come to a resolution to commit yourself no more to the press upon this subject.—I hazard no conjecture; I offer no comment upon your future silence. The record of my replication, long and special as it is*, cannot be withdrawn

* The natural, often blind, and most frequently partial fondness of an author for his own productions, is constantly pregnant with imaginary, beyond the real reasons and causes, that stand in the way of that extensive circulation of his works, which he had anticipated. I affect no exemptions from the common feelings of every litterary parent. Though I certainly laboured with unusual assiduity to keep up the likeness in taking the *Portrait of the Honorable Baronet from life, whilst acting in the Catholic cause,* yet few persons have hitherto chosen to become possessed of it. No one hitherto, that I have heard of, has denied the resemblance; except the subject of the portrait, to whom it appears a caricature; and therefore, perhaps, a libellous freedom taken with an Honorable Member of the Imperial House of Commons. Some object to it as an insignificant, uninteresting, and uninviting subject in itself. Others dislike the manner, style, and spirit of the limner, and therefore disrelish and discountenance any of his productions, whatever may be his merits for truth, colouring, or composition. Some find fault with the scene, action, and attitude, in which the honorable person is exhibited; whilst others unreasonably complain, that the portrait was not taken some few years back, before certain acrid humours of his constitution had broken out, and decomposed the fascinating symmetry of his features. The feelings of many are distressed in viewing the portrait, at being forced to behold an old friend with a new face. I expect not to work any change in the minds of any of these descriptions of persons. There is also a class of persons, to whom a letter from a Popish Barrister to the zealous advocate of the Popish cause, holds out no spark of invitation to purchase it: they may disagree, bicker, and wrangle between themselves; their personal differences affect themselves only; and those arise out of a subject, which no longer commands novelty or interest. To these, however, I beg leave to insinuate, that besides the striking likeness of the

from the inquisitive or interested eye of any person, who takes to heart the justice or importance

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announced portrait, the composition takes in some groupes of no slight importance in the occurrence of the day, and represents in full meridian glow, many singular tactics, manœuvres, and achievements never before represented on canvas. I say nothing of a great variety of answers, refutations, and retorts to personal charges against me, which the Honorable Baronet has thought sufficiently interesting to the public, to bring forward in his letters to Lord Fingal, which swell out to 122 pages in octavo. Beyond this they will find the methodical habits of the Honorable Baronet's composing and publishing his supposed or intended speeches in Parliament: and the manner, in which reports in the newspapers of Members' speeches in Parliament are taken; and when they are evidence of their truth and substance; with a curious specimen of a speech put into the mouth of an Honorable Member, which was never uttered by him. They will there find how, and at what time, and by whom the Honorable Baronet has been initiated into the spirit, principles, and doctrines of Jansenism, which led him to anticipate the facility of the two Churches uniting, from the *approbation, after a very detailed examination, of the* 39 *Articles of the Church of England by the Sorbonne*, and their entire *concurrence in the articles of faith, Ecclesiastical discipline, and moral doctrine.*—(Vide 2d Let. to Lord Fingal, p. 48.) Not unconnected with this spiritual vaccination for the *lues Janseniana,* will be found that noted admonition of the Honorable Baronet to the House of Commons, on the 11th day of May, 1813; *that they were increasing an Order of Jesuits at home*, etc.; and his declaration in the House on the 24th of that month, that *his fears on that head were not Protestant fears, but Catholic fears. He stated that fact in conformity with the wishes of the Catholics themselves.* This gave rise to the short sketch of the nature and spirit of that Order, from their foundation to their destruction by Pope Ganganelli, which closes my first letter to Sir John, and in a great measure gives rise to the necessity of writing this second to him. In the first will also be found several exposures of grievous mistatements and unblushing misquotations, upon matters touching the vitality of the Constitution, and the leading principles of the present system of Government.

of keeping nearly six millions of his Majesty's Roman Catholic subjects excluded from an equal participation of the Constitution with their fellow-subjects, on account of their adherence to the religion of their first Christian ancestors. Your knowledge, Sir John, of your original profession, taught you, that there must regularly be an end of our pleadiugs, whilst you persist in your resolution not to rejoin to my replication. You dropt your correspondence with the Earl of Fingal, and to disprove my assertion, that you were *beset and plied* by others, you not only have not resumed your communications with Dr. O'Conor (the author of *Columbanus*), but, if report speak truth, you have fallen off from your confidential intimacy with Mr. Butler. And the public has to lament your stern resolve to favor them no more with the publication of your short-hand writer's reports of your speeches *in substance*, which you avow; nor of draughts of speeches intended to be uttered, nor the *substance of additional observations*, etc. As, however, you still persist (*in your own steady and plain dealing*, as you treat Bishop Milner,) with operose industry to apply your shoulders to the cause, and the absentees from the House of Commons are now driven to the newspaper reports for the substance of your speeches, which they have no chance of reading in an authenticated and avowed form, you will acquit me of design or malice, if I follow the reports of respectable London papers. Indeed, Sir John, I have not, nor ever had a wish, neither did, nor do I *chuse to put verbal inaccuracies of expression into your mouth, on the loose authority of some newspaper.*

I am free, Sir, to own, that I expect this second portrait of you, to meet with more success than the first. The value of an exact likeness of so pro-

minent a character amidst the great actors upon the counter-revolutionary theatre of Europe is, from a variety of causes, incalculably enhanced. For brevity sake (1), I shall only refer to one. This is the

* I certainly must plead guilty to the charge of prolixity, which the honourable triumvirate, who have graced their attacks against me with their names, have fastened upon me. Sir Richard Musgrave (he has discovered the valuable art of announcing his name in every page without the aid of imprint or title) compares the *ponderous mass* of my *Historical Review* to the unwieldy bulk of the writer; and I informed the public, in my *Historical Letter to Sir Richard Musgrave*, that, in defiance of the statutes to prevent the growth of Popery, I measured six feet two inches in height, and weighed nineteen stone and a half. The Rev. Charles O'Connor, D.D. charges me with swelling my *voluminous compilation* with borrowed paragraphs without proofs, and with calumnies; and with writing history by the foot square, from laziness or incapacity. I hope he has been completely answered in my *Historical Letter* to him, published in 1812, and my reply to him, published in 1813. Sir John Cox Hippisley, according to the report of his speech in *The Globe* of the 22d of November, 1814 (his favourite paper), said, « Mr. F. Plowden, « who valued himself on being considered the Historian of « Ireland, but whose historic pages were more known by « their bulk than their accuracy, had written a very diffused « eulogy of the Order (of Jesuits) in which he had been edu- « cated.» Besides these Gentlemen, some other anonymous writers have assailed my productions. One person, indeed, who has lately announced the *Irish Historical Library*, has prefaced the first number, to which he subscribes the name Frederick W. Conway, with a most ferocious attack upon me. Such general abuse will never provoke an answer. He says, (p. viii.) « He takes most of his documents from Curry, for the « purpose of swelling his composition into *three ponderous* « *quartos*. But it is not merely his book-making disposition, « that I object to Mr. Plowden. There is a vulgarity, and « rancour and meanness in the man's manners, as a political « writer, which to me, I own, are disgusting, etc.» A long habit of writing for newspapers, not only teaches the art, but the profits of ephemeral abuse.

extreme difference of opinion, which now exists between you Sir John, and your old friend and correspondent his Holiness, Pius VII, with reference to the order of Jesuits. This is a particular string, upon which, you never touched for many years, after you busied yourself in the Catholic concerns; in fact till after I had charged you with being *set and plied* by two zealots for antipapacy: *duo laborantes in unum*. Then you come forward with your *Catholic* fears about the revival of that order, and openly profess your *Catholic* commission to communicate those *Catholic* fears to the House. *Protestant* fears you had none. By this improvident avowal, you have marred all your speculations upon the appointment of *Ministre de Culte* to the Catholic subjects of his Majesty. However faithful you may have heretofore been to the orders and directions of the party, they never will forgive your overwhelming excess of candor, in avowing to the House your *Catholic* credentials, for raising the alarm of *Jesuitism*. It is more than singular, that this inflammable subject never was introduced, or even hinted at, in any one of the various debates on the Catholic Question, often and warmly as it has been agitated, until you were deputed to be the mouth-piece of certain persons calling themselves Catholics, to excite the alarm of Government *at a class of people, who went to Naples, there took orders, and on their return refused to acknowledge the authority of any Diocesan*. My first letter to you contains pregnant evidence, that you assumed your *Catholic* fears of the Order of Jesuits, in the same year, in which Mr. Butler congratulated *you upon your having been pleased to make yourself one of us*, in a letter intended by him to be circular, for instructing the Irish Catholics upon every interesting topic of

policy and religion in the existing circumstances of 1812. That plan failed in the intended execution: the copy of Mr. Butler's letter to you, Sir John, was sent to Mr. Scully to be read (it was read and disrelished) at the Catholic board. Mr. Scully declared, that his correspondent Mr. Butler *was under a misapprehension with respect to the estimation, in which Sir J. C. Hippisley was holden in Ireland**. And Mr. Butler in a letter to Mr. Secretary Hay, in which he labours hard to repel the charges of obtrusive and unaccredited interference with Government on behalf of the Irish Catholics, says, « I was the more unreserved in my « communication with Mr. Scully, as from his let« ters and his conversation with me in this country,

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* If the reader wish for more special information upon these matters, he will find it from page 80, in my first letter to Sir J. C. Hippisley. And, I presume, will not be lightly astonished, at the bold lesson of politics infused by Mr. Butler into his intended readers, of the secret feelings of our Cabinet, upon the momentum of the Catholic population; their apprehensions of the numerous accidents, which may call it into action, and of its negative effects, even in a state of acquiescence; the undeniable promises of the Prince Regent; Lord Moira driven into a situation, in which he must bully his R. H. and his Royal Highness' great unfitness for such an assault; the distractions of Carlton-House increasing, etc.; the effective array of friend and foe; 80 out of 100 Irish Members; Mr. Canning, with an escort of 30; Lord Castlereagh at the head of the Ministerial stragglers; unreturned troops of Dissenters, and of the true Whig School; Lord Castlereagh little attended to in the House of Commons; the inadequacy of Mr. Vansittart to his present situation every day felt more and more; the whole opposite array not furnishing a single speaker: all promising triumph to the views of the Irish Catholics. All this sincerity of effusion was launched under the very intelligible declaration, that the Irish Catholics' *want of active and energetic leaders, were great impediments to their success.*

« I considered, that his sentiments and mine, on « all that related to Roman Catholic concerns, were « the same.»

You have taken the same opportunity of avowing your passion for Mr. Butler *(I have great pride and pleasure in avowing a friendship for that gentleman)*, and of complaining, « that Mr. Plow« den has been pleased to withdraw his confidence « in me from my having *been plied and beset by « others*.» All this must have been written by you in the year 1812, since the publication of it bears date the 8th of January, 1813. You mistake the cause of my withdrawing confidence from you. As that circumstance in your mind has so much importance in it, as to bring it under the consideration of the public, it will not be laid to the account of mere prolix ty, if I shortly refer to the circumstances, which produced that change in my mind with reference to your conduct. Had you wished to have set them right upon so momentous a topic, you might have referred them to what I said in my letter to *Columbanus* *, published in August 1812, concerning the wonderful effects produced by Mr. Canning's motion, on the 22d of the preceding June, for taking the Catholic question into consideration early in the next session. I there noticed your first public vacillation in opinion nd feeling upon the Catholic cause, in your amphibious speech on the 11th of May, 1811; when you entertained the house with profuse lectures, out of the famous blue books published in 1791 and 1792; the avowed labours of your friend Mr. Butler: and *unquestionably*, said I, *you were well impregnated with their spirit*.

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* P. 338, et seq.

On Mr. Canning's motion, you surprised all your auditors, by a personal attack upon your old friend the Pope. « You could shew that the Church « itself was tired of a foreign yoke: you had com« munication with a Catholic prelate, stating, that « it was necessary to guard against the intrigues of « Rome. » I gave some account of your secret diplomacy at Rome during the administration of M . Pitt, from your own avowal. *Such engagements Sir J. C. Hippisley was authorised to enter into with the Court of Rome:* and remarking, that you had gone the length, of calling the *legal* inhibitions of such intercourse *weak, mischievous,* and *ridiculous,* I at last arrived at this conclusion. « It certainly is not too much to say, that of all the « 1021 senators, of which our two Houses of Par« liament consist, Sir John Cox Hippisley is the « very last, from whom these alarms would have « been expected*. » Neither was it lightly nor in-

* Amongst numerous instances of favour and estimation, in which the Honorable Baronet was holden at Rome, is given an extract of a letter, written to him by his present Holiness Pius VII. in the year 1800. « And as the above-mentioned « glorious Sovereign Pontiff, whose authority is of the greatest « weight with us his creature, and to whom we are bounden « by the strongest and sweetest ties of veneration, affection « and gratitude, has given us so many and such manifest « proofs of the high esteem he entertained of the generous « English nation, and of its magnanimous and just Govern« ment; and was ever so solicitous to cultivate harmony and « friendship, and also to demonstrate to that nation, on all « occasions, his most lively attachment; we, also, pursuing « the same steps, will equally make it our study to preserve « with zealous care the same reciprocal good intelligence and « union: and we will not suffer (as far as lies in our power), « that England should find seated in the Pontifical Chair of « Rome another Pontiff differing from him, who so invariably « acknowledged the kindness and friendship, that England en« tertained for him. » In the year 1800, Sir John circulated

considerately said in that letter to *Columbanus*, that your (*) *conversion into one of the strongest alarmists at the intrigues of Rome, was almost as miraculous as that of Saul*. Allow me, Sir John, to solicit the peculiar attention of my readers of this letter to you, to the coinciding times and circumstances of your initiation into the doctrines of the blue books, and the first adoption of your alarms and fears of the intrigues of Rome, and the revival of the Order of Jesuits. It was in the session of 1811, that you gratefully boasted of the (1) instructive letter you had received from Mr. Butler, against whom Dr. Milner had within the course of a few days printed in Dublin as foul a libel as ever issued from the press; and in 1812 you had made the wonderful discovery, that *the Church itself was tired of a foreign yoke*, and that *it was necessary to guard against the intrigues of Rome*. But hitherto, you were not known to have introduced that fertile subject of obloquy and irritation the *Jesuits*: yet, in 1813, when you so powerfully sounded the tocsin of alarm, and your *Catholic* fears of the *Jesuits*, you eagerly laboured to clear the neophite of want of zeal and ardour in assailing the disbanded and expiring host of *Loyola* (2). « He had been charged with suppressing the fact « of the *Jesuits* establishing themselves in this « country. Such was not the case: he had com« municated that fact a year back to the Right

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amongst his confidential friends, a superb edition in quarto of his negociations at Rome, concerning the allowance granted to the late Cardinal of York, with *fac similes* of all the great men's letters to him.

* Hist. Let. to *Col*. 350 (1) Ibid. 341,

(2) See the reports of the debates in the House of Commons, in the *Pilot* newspaper for the 12th and 25th days of May, 1813.

« Honorable Gentleman (Mr. Canning). His fears « upon that head, were not *Protestant* fears, but « *Catholic* fears. He stated that fact in confor- « mity with the wishes of the *Catholics* them- « selves. » Then too it was, that you fervently exclaimed in the House, that « if there were any « crime, of which you could be justly accused in « reference to the *great measure*, that crime was « *consistency*.»

This, Sir John, was the last commanding attitude I endeavoured to represent, in *the portrait taken of you from the life, whilst acting in the Catholic cause,* which came before the public in February 1814; at which, though you appear to be offended, yet you perseveringly assume it on every occasion; I am to presume, in proof of your *consistency*. My readers will judge of your feelings, upon what I have said in my *Historical Letter* to you, and more particularly in the latter part, from the notice you have chosen to take of it in Parliament. I wish much to be concise; I wish more to be explicit. Were the subject merely personal, I could shape my course without difficulty. Without boasting of my powers, I avow an earnest wish and endeavour to give the most minute resemblance, which can be spread upon canvass: I cannot therefore pretend to give a bust, or even a kit-cat, of so eminent a character. Whether I succeed, or fail in the execution, I shall endeavour to give your figure at full length, and to delineate with the industry of a Denner, if I cannot with the glow of a Titian, the action of every fibre, nerve, and sinew of so momentous a body, *a vertice capitis, usque ad plantam pedis*.

If I plead ignorance of any publication of your's, or in your behalf, Sir John, since January 1813, (the date of your two letters to Lord Fingal) which

I might, or ought to have known, my readers, I trust, will place it (some I hope with sympathy), to the evils of unvoluntary absence from the scene of action. I have had the opportunity of seeing only irregularly a broken series of the English newspapers, during the last twelve months. From those, which have accidentally come under my inspection, I have found to my astonishment, that the freedom of debate in the House of Commons has, to judge from the printed reports, been used by you, Sir John, as a safe, free, and resistless engine for misrepresenting and decrying my literary productions, for misstating and censuring my opinions, and for distorting and reprobating my principles. I have, alas! studied the laws and constitution of my country to little purpose, if I be not correct in stating, that every Englishman may defend his character and property, with as much publicity as they have been assailed, and that his right and means of repelling falsehood and refuting obloquy, are at least commensurate with the malice, publicity, and occasions of violating truth and engendering calumny. I unquestionably wish to stand *rectus in curiâ* in the eyes of each of the 768 members of the House of Commons, who may have heard the censures, charges, and imputations repeatedly and expressly made against me within their privileged walls: but they form a very insignificant portion of the community at large, amongst whom the newspaper reports of the debates, are diffused, and from which alone they can adopt ideas, receive feelings, and exercise judgment upon what they read to have passed in debate. The effects produced in the minds of the readers of the reports are not regulated by the *plus* or the *minus* of the accuracy of the report. I comment not therefore upon your speeches in the House of

Commons, but upon the publications I find of them in the various columns of the Journalists. Thus am I fearless of trenching upon the privileges of the House. Nor do I lay myself open to a second imputation from you, of *chusing to put verbal inaccuracies of expression into your mouth on the loose authority of some newspaper.* I am perfectly free to say, that the disquisition I have given in my first Historical Letter to you, concerning the mode of publishing the reports of the members' speeches in the London morning newspapers, and of members publishing their own speeches, or the substance of their speeches, or the draughts of their intended speeches, with additional observations upon them, may be read even by members of the Imperial Parliament, if not with interest and satisfaction, yet with profit and instruction.

Although mentioned in my first Historical Letter to you*, it becomes necessary here to refer to two leading facts, which occurred in the session of 1813, which had closed before I had finished the manuscript, in order to put the reader into complete possession of your consistency and zeal in the *great measure.* « On the 11th of May (1813) you « moved for, and failed in establishing an ever« lasting select committee, to examine into, and « report the state of the laws affecting his Majesty's « Roman Catholic subjects: the condition and « number of the Catholic clergy, their religious « institutions, together with the nature and extent « of the ecclesiastical jurisdiction exercised by the « See of Rome: the state of the Catholics in our « colonies, and the intercourse, and the regula« tions established by foreign countries, and the

* Historical Letter to Sir J. C. Hippisley, p. 119.

« intercourse maintained by the Catholic clergy « in the British dominions with the Papal See.»— And, it appears from the Parliamentary proceedings, that on the 22d of July 1813, you, Sir John, with your wonted indefatigability moved, « that there should be laid before the House ex« tracts from the dispatch of Sir George Prevost, « Governor of Canada, bearing date in October, « 1811, with respect to the state of the Catholic « religion in that country; which were ordered.» We shall presently have occasion to return to these orders. Having traced the date and circumstances of your inoculation with *Catholic fears of the Jesuits establishing themselves in this country*, it is not unimportant to the public, to arrest their attention, to the punctilious fidelity, with which you seconded the wishes of those Catholics, who made you their mouthpiece to communicate their fears upon this head to the Protestant Legislature. In the late stupendous and rapid turn of events, no right judgment can be formed of the speeches or achievements of the actors in any of the important scenes, without close attention to the time, place, and circumstance of their having been uttered or performed. Whoever proceeds with this monitory caution, will be firmly convinced, that a word is not uttered in public, or even in private, by the actors in the *great measure*, a motion is not made, a measure is not devised, which is to be judged of, upon its insulated merits; but must be considered as a main spring in the machinery, which was speedily to exhibit the *denouement* of a systematic intrigue of above twenty years hatching.

True to your commission, Sir John, you do the work of your *setters and pliers* with indefatigable industry. On the 16th of May, 1814, you gave

notice*, that you « would on the morrow move, « that a paper, should be laid before the House, « which had been published, and which had cre- « ated a great sensation in Ireland. We under- « stood (says the Journalist), that the worthy « Baronet alluded to the letter of M. Quarantotti.» When on the next day, you made your promised motion for that, and some other papers to be printed, no small portion of your speech was dedicated, as the different London newspapers report it, to the mistatement and censure of my opinions upon the obligation of oaths, and upon my sentiments and feelings concerning that society which, as (1) *the Catholic world had demanded it with unanimous voice*, your old friend and correspondent has vouchsafed to re-establish throughout the entire Catholic world, but it seems, to your and your instructor's and deputer's sore annoyance. Whatever I said of them in my first *Historical Letter* to you, was written above twelve months before the bull was published, which you have since moved to have laid on the table of the House of Commons. Amongst other papers, which reported your strictures, censures, and imputations against me (faithfully and fairly I doubt not), was the *Morning Chronicle*: with the political sentiments of which I had long been in the habits of generally coinciding. I was anxious therefore of repelling the false and slanderous charges, which I read in the papers against me (as contained in their reports of your speech), in the columns of the *Morning Chronicle*. I fondly fancied, that the

* *Morning Post* for the 17th of May, 1814.

(1) Such are the words of the bull or constitution, which for the satisfaction of all the readers of this letter is given in English and Latin. Appendix No. 1.

Editor of it, with whom I had been many years acquainted, was ever eager to do justice to truth, upon any matter of national importance; and I, perhaps vainly, thought that a topic introduced into a debate affecting the rights and dearest interests of above six millions of his Majesty's subjects, would have appeared to him of national importance. As you, Sir John, last year found unsurmountable difficulties in procuring the insertion of your two letters to Lord Fingal in the *British Press*, and *Globe* newspapers, with the view of giving them, as you tell us, *a more extensive circulation, than is usually obtained in the form of a pamphlet;* so have I this year experienced the like contravention to my wishes: but probably from unlike causes. You were on the spot, able and willing to allow to the Editor his full pecuniary remuneration for becoming the publisher of your elucubrations on the *great measure*, and had moreover the advantage of the powerful mediation of Mr. Butler, for whom *you have great pride and pleasure in avowing a friendship;* and his influence with the Editor of the *Press* and *Globe* newspapers was such, that about the very time of your disappointment, *his Address to the Protestants* found ready admission into those papers; as did every thing from his pen, which related to the *great measure*. I neither sent nor offered money to the Editor of the *Morning Chronicle*, for inserting my letter: I had no mediator to back my wishes: and I made my application upon the unsatisfactory dry plea of using the same organ for the defence of truth, which had (though unconsciously and justifiably) been the instrument of her violation. With you, however, I admit, that I thought the *Morning Chronicle* (as you did the *British Press*) *one of the readiest and best avenues, by which my statements could find*

their way to the public. With you also, Sir John, have I been driven to avow, that *disappointed in that object, the writer has had recourse to the present mode of publication.*

Brevis esse laboro, obscurus fio, said a great adept in composition. I often have inveighed, and ever shall persevere in my invectives against anonymous assailants and calumniators. *Veritas nil veretur, nisi abscondi.* You have contented yourself, with dryly informing your noble correspondent, that you were disappointed in your wishes of circulating your thoughts through the medium of a popular newspaper. I will go further. I submit to the public, the motives and grounds of my application for a similar purpose: and my readers will judge of the cause of my disappointment. I complain not of Mr. Perry's refusal to give place to my letter in the columns of his paper. I neither paid, nor offered payment for the insertion: but he might have noticed my letter; he ought to have sent the manuscript to the persons I had desired to receive it, in case of his objecting to my request. Although I may not distinctly discover the relevancy and connection of my opinion upon the obligation of oaths, and of my sentiments upon the utility and advantage of the institution of the order of *Jesuits*, with your motion to print the rescript of Monsignor Quarantotti*, and the Prince Regent's private orders to Sir George Prevost to check the progress of Popery in Canada; yet as you, Sir John, have thought proper, and the most versed in senatorial tactics Mr. Speaker Abbot, did not call you to order, I am forced to conclude, that your introduction of my opinions and my writings

* For the satisfaction of the reader, both these pieces are given in the Appendix. No. II. and No. III.

was not irrelevant to, but was in fact connected with the subject, then awaiting the decision of the House. Now, as every connection is essentially reciprocal, my notice of your charges can neither be deemed scandalous nor impertinent. We are at issue upon the truth or falsity of them. No privilege, parliamentary or other, can sanction falsehood, and deception. The following is the copy of the private letter, which I sent to Mr. Perry, whom I have always considered the editor and proprietor of the *Morning Chronicle* newspaper: and I know, that it was delivered at his house in the Strand; together with the public letter, which I wished and entreated him to insert in his newspaper, or deposit the manuscript of it, where I directed.

« 4th June, Paris, etc.

« Dear Sir.

I anticipate your surprise at the receipt of a letter from an unfortunate exile, whom you have long lost sight, if not all recollection of. I learnt with emotions of confusion and gratitude the eager liberality, which drew forth your sympathies, when my daughter first apprized you of my troubles in 1809; and my sense of it will ever remain fixed and lively. Though now resident in a foreîgn land, my mind, feelings, and interest, are unceasingly taken up with my country. You will not wonder then, that I was strongly affected in reading the debates, which mentioned my name, in a manner, which bespoke a malicious and insidious intent in bringing it up coupled with all, that was deemed repulsive and contemptuous. I will not trouble you with any thing like a detail of the number and nature of my enemies, or of their underhand and artful workings to bring me into disrepute. Few like openly to grapple with me. You

will render me invaluable service by inserting the enclosed in your paper. I profess not to know the turn of the secret politics and interests, which may have taken place, since I quitted England. However, I speak with unreserved candor, when I entreat you to return the manuscript to the bearer of it (*** *** of *** street, who by the bye knows nothing of its contents), should there be a word in it, which breaks in upon your feelings, judgment, or interest. If I appear at all in your columns, it must be in my own manner. I confidently anticipate your forgiveness for causing you so much trouble, and for soliciting your countenance and recommendation amongst your friends, of the work, which now engrosses my whole time, and of which I enclose a *prospectus*. Wonderful are the resources and aids I find in this elysium of a literary man. I beg you to present my respectful homages to Mrs. Perry, and have the honor to be, with much regard and esteem,

Dear Sir,
Your devoted and obedient,
FRANCIS PLOWDEN.

To ——— Perry, Esq.
Morning Chronicle Office,
Strand, London.»

« TO THE EDITOR OF THE MORNING CHRONICLE.

SIR,

I trust, that your long tried and well known liberality and candor will devote a column or two of your paper, to the redress of an injured absentee, and the vindication of misrepresented truth, in a matter of high national importance; more especially, as through that medium, his character has been wounded, and the purity of truth

has been violated, by the discharge of your duty to the public. In reporting the speech of Sir John Cox Hippisley in the House of Commons, on the 17th of May, upon his motion for the printing of certain papers relating to the Catholic Question, and of his explanatory amendment of the report on the 24th of that month, when he moved for the production and printing of two other papers affecting the same subject, I find, to my utter astonishment, my name introduced into a debate, without the remotest relevancy of any part of my publications to the question then awaiting the decision of the House. Without affecting to touch the secret springs, which brought into the mind of the Honorable Baronet at one and the same time, the regulation of the Catholic discipline in Canada and Malta, the instructions sent by Government to Sir George Prevost, and the opinion of a private lawyer, upon the construction of an oath, I shall endeavour to throw some daylight upon this mysterious jostling of such disparate objects in the mind of a calm and temperate senator.

He draws the *attention of the House to a point of much graver nature* (than the interference of the crown in the nomination of Catholic Bishops), *the Society of the Jesuits,* whom it suits him to decry and criminate: and then he imputes to me generally, that I have written *their eulogium,* as if very unmerited; that *I had asserted, that young men had been sent from Ireland to Naples, there to receive orders:* and that *treating of the tenets of the Jesuits, I differed from the soundest Roman Catholic Theologians, and the most accredited Jurists, namely, St. Isidore, and Justinian, as well as Paley and other writers of the establishment, by holding, that oaths are to be considered as obligatory secundum intentionem jurantis, et non*

secundum intentionem imponentis. The old Jesuitical maxim!!! I have no right to complain, that any man notices, combats, or censures any thing I publish: but my words must be correctly quoted, and my opinions fairly stated: nothing material to my reasoning must be suppressed: nothing, which I hold not, must be palmed upon me. And upon these terms, I am ready to justify whatever I have published.

In following, as the historian of Ireland, Tully's direction to the writers of history, that not only the exploits of the actors themselves be set forth: but the general conduct and character of such of them as have any pretensions to a name or reputation in life, I found it necessary to speak historically of Sir John Cox Hippisley's general conduct throughout the progress of the Catholic cause. This displeased him; and in January 1813, in a printed letter to Lord Fingal, he sorely complains of my representation of his conduct, and industriously labours to work up the feelings of his noble correspondent against my publications. In the way of an answer to that letter to Lord Fingal, I wrote an *Historical Letter to Sir J. C. Hippisley, Bart. and M. P. being an historical portrait taken of him from the life, whilst acting in the Catholic cause,* in which I have minutely investigated and exposed to view his whole conduct, in order to make good the title of the work. On coming abroad, I left the manuscript with a friend to send to press, if deemed conducive to the progress of the cause of Catholic Emancipation. It has been some months before the public; and I grieve to say, with much typographical inaccuracy.

To this book he refers without specifying the nature or tendency of it, when he said, that I *had written largely in praise of the society*, as one re-

port has it, or *their eulogium*, as another gives it. That is not the precise fact: nor is it true, that I have ever said in print (otherwise than in reporting Sir John's own words), *that young men were sent from Ireland to Naples, there to receive orders*, etc. It is a palpable untruth, that in *treating of the tenets of the Jesuits, I differed from Paley*, etc. Wherever I mention Paley, I refer not even by insinuation to the Jesuits: neither is there any part of my publications, in which I treat of their tenets. The occasion of my mentioning the Fathers of the Society in my Historical Letter to the Honorable Baronet, which he calls the recent publication, arose out of his sounding the *tocsin* last session, to provoke Government into an alarm against that order, to prevent its resuscitation, to check its growth, or to extinguish its existence: declaring at the same time, *that his fears upon that head were not Protestant fears, but Catholic fears: and he stated that fact in conformity with the wishes of the Catholics themselves* (*Pilot* newspaper for 25th March, 1813). In the recently published letter to the Honorable Baronet (p. 123), I tell him, what I wish all your readers to notice. « Take not, Sir John, an alarm, that I shall make « this letter to you the vehicle of a history or apo- « logy, or vindication of the order of Jesuits: « though I certainly shall say as much to you « about the *Catholic* fears, as will, I hope, suffice « to prevent or dissipate the *Protestant* fears on « that head.» This I endeavoured to effect by a succinct statement of their temporary subsistance in Prussia, and their permanent and encouraged establishment in Russia, after the bull for suppressing (not condemning) their order in all the Catholic States by Pope Ganganelli. In a note (p. 157) of the *Historical Letter* I quoted from my *Church*

and State, what I beg leave to confirm from the experience and reflection of the last twenty years of my life. « I mean neither injury nor offence to « others, when I pay the just tribute of praise to « that society, from which I received my educa- « tion. I scarcely deem it possible for the powers « of man to devise a system more calculated to in- « fuse solid learning and virtue into youth, than « the plan, which they pursued with unremitted « ardor and perseverance. The many faults and « frailties, which with confusion I take to myself, « are so many direct deviations from the precepts « and examples I had the advantage of receiving « from them.»

I rejoice, that this obtrusive reference to my opinions upon the obligation of oaths, though so irrelevant to the object of the motion, has afforded me an opportunity of opening the eyes of my countrymen to the honorable and conscientious grounds, upon which the dissenters from the Establishment refuse to subscribe to the 39 articles, and the Roman Catholics decline taking the oath of supremacy, which would let them into those civil benefits, from which their recusancy precludes them. All I have said upon this subject, immediately refers to the subscription to the 39 articles, and the taking of the oath of supremacy. Sir John Cox Hippisley has not quoted my words, he has referred to no particular book or publication of mine, he probably either has not read, or not fully understood what I have published, and he certainly appears to have endeavoured to press upon his auditors, and of course upon the readers of the reports of his original and amended speeches, a very different idea of my opinions, from that, which, I hope, will result from the lecture of this letter to you.

In my *Church and State* I referred to the case of Smith (4 Inst. 324), where Wray, Chief Justice, with all the Judges of England, resolved, that a subscription to the 39 articles with this addition, (So far forth as the same were agreeable to the word of God) was not according to the 13th of Elizabeth, which requires an absolute subscription: and that made it conditional: « that this act » was made for avoiding of diversity of opinions, « etc. And by this addition, the party might by « his own private opinion take some of them to be « against the word of God; and by this means di- « versity of opinion should not be avoided, which « was the scope of the statute and the very act it- « self, made touching subscription hereby of none « effect.» I inferred, that the law was not complied with by any subscription, which did not carry with it a *sincere, full, and unequivocal* belief of the articles subscribed to, in the whole and every part (p. 376). I supported my doctrine by the authority of Bishop Burnet, who says (Hist. of Reform, 169.), that « the 39 articles were something « more than articles of peace; and the men, who « subscribed them, either did believe them to be « true, or did grossly prevaricate.» But what says Dr. Paley?

« Subscription to articles of religion, though no « more than a declaration of the subscriber's as- « sent, may properly enough be considered in « connection with the subject of oaths: because « it is governed by the same rule of interpretation: « which rule is, the *animus imponentis*. The en- « quiry therefore concerning subscription, will be « *Quis imposuit, et quo animo?* And they, who « contend, that nothing less can justify the sub- « scription to the 39 articles, than the actual belief « of each and every separate proposition contained

« in them, must suppose, that the Legislature ex« pected the consent of ten thousand men, and that « in perpetual succession, not to one controverted « proposition, but to many hundreds, etc. » Surely Dr. Paley was inattentive to the title of the articles : for avoiding of diversities of opinions, and for establishing of consent touching true religion. Having enumerated certain descriptions of persons, as those, who may not lawfully subscribe, viz. 1st. « All abettors of Popery. 2d. Anabaptists, who « were at that time a powerful party on the Conti« nent. 3d. The Puritans, who were hostile to an « Episcopal Constitution : and in general the mem« bers of such leading sects or foreign establish« ments, as threatened to overthrow our own : » « he concludes, « whoever finds himself within « these descriptions, ought not to subscribe. »

I laboured earnestly in my *Church and State* to make head against this system of loose evasion, or according to Bishop Burnet of *gross prevarication*. And what fair man is not with me? I there said, (p. 379). « The only ground, upon which, in my « opinion, a juror can lawfully and conscientiously « take any oath whatever, is the sincere conviction « of the juror of the truth of the oath according to « the usual, common, and accepted import of the « words and terms, in which the oath is expressed. « Provided therefore, that the *animus imponentis* « be not clearly and unequivocally expressed in « the terms of the oath, the juror will not be justi« fied in taking it, whilst he understands it diffe« rently from those, who impose it. It is their « duty to adapt their words to their meaning. « There can be no fair meaning, which may not « be unequivocally expressed in the English lan« guage, and no captious meaning can be the sub« ject or ground of a lawful oath. » What wonder

then, if with reference to the oath of supremacy, for the refusal of which Sir Thomas More was put to death, I said (p. 540), that « the *animus imponentis* can never warrant a juror to swear against « the conviction of his own conscience.» And (p. 108), « I cannot admit, that the sense put upon « an oath by the framers of it, contrary to what the « words import to the juror, will justify a person « in taking it under such explanation.» For these « reasons also was I induced to say (p. 568), « I « must essentially differ from an elegant modern « writer upon these subjects (Mr. Joseph Berrington), who attempts to prove, that such has been « the legal acceptation of the oath (of supremacy), « from its enaction to the present day: and who « holding the lawfulness of the present oath, thus « interrogates his Roman Catholic brethren : Why « should we importune Government for a further « redress of grievances, or complain, that we are « aggrieved, if the remedy be in our own hands? « One bold man, by taking the oath, may dissipate « the whole charm of prejudice, and restore us the « most valuable privilege of British citizens.»

The man, who admits the necessity of one Supreme Universal Bishop in the Church, cannot under any explanation lawfully swear, that *no foreign prince, person, prelate, state, or potentate, hath or ought to have any jurisdiction, power, superiority, pre-eminence or authority, ecclesiastical or spiritual, within this realm*, etc. as the words of the oath of supremacy run. I hope, Sir, that none of your impartial readers will impute to me, as the Honorable Baronet seems to have wished to fix me with, any principle disgraceful or dangerous, from which has emanated that opinion, which he (I presume) alludes to me in my history. It is contained in the preface to my *Post Union* History of Ire-

land (v). « The author cannot subscribe to the « generally received opinion, that an oath is to be « taken in the sense, in which it is imposed or re- « quired, *secundum animum imponentis*, but *se- « cundum animum jurantis;* that is according to « the juror's understanding, and the common ac- « ceptation of the words, in which the oath is ex- « pressed.»

What the Honorable Baronet's upright, honorable, and straight-forward views were in clogging the debate in the House of Commons on the 17th, and in interrupting it on the 24th of May with an explanatory amendment of, and scholium on my private opinion upon the construction of an oath, I leave to the determination of such auditors and readers, as perceive the relevancy of such private opinion to the propriety of the House of Commons ordering the instructions to the Governor of Canada to be printed. To his designs in forcing upon the public, even from the seat of legislature, no very gracious comparison of the doctrines of the Catholic Historian of Ireland, with those of the *soundest Theologians and most accredited Jurists, both of the Roman Catholic and the Established Church*, those gentlemen will adapt the most appropriate epithets, who best know the nature and spirit of that *special commission*, under which he has acted, ever since he declared in May 1813, that *his fears upon that head were not Protestant fears, but Catholic fears: and he stated that fact in conformity with the wishes of the Catholics themselves.*

I have felt myself called upon to say thus much, through the medium of your paper, in which I first read the report of Sir John Cox Hippisley's speech, that mentioned me, in order to do justice to the respectable people, whose history I have written, to the cause of truth, which I have endeavoured to

uphold, and to the character of a private (though very insignificant) individual,

Your obedient Servant,

FRANCIS PLOWDEN.

« Paris, 4th June, 1814.»

« Disappointed in that object*, the writer has « had recourse to the present mode of publication. « The letters are now published in their original « state, and with their original dates.» As in this step I have followed your example, I expect, Sir John, to avoid your censure. I dissemble not the acuteness of the painful sensations, which attended the lecture of your first discharges against me from the walls of St. Stevens. They were made up of pity and indignation. I could not then, nor to this hour can I comprehend, how you could so perseveringly clog the movements, of the *great measure*, you still boast yourself so *solicitous for the success* of, by obtruding so insignificant an object as me upon the attention of the House. Had you sought to relieve your heart-burns by a dose, however powerful, of invective, it would have produced nothing but contemptuous pity; but I became indignant on perceiving, that the false charges, obloquy, and calumny, directed against an absent and undefended individual, were used as a stalking-horse for carrying amongst your Protestant brethren your inoculated horrors of that body of men, of whom you never had *Protestant*, and but recently assumed, *Catholic* fears; and also for giving spring, energy, and lustre to a train of measures to check, thwart, and harass that power, which lately has revived (1) them, throughout the dispersed churches,

* Advertisement to Sir John Cox Hippisley's Letter to the Earl of Fingal. (v).

(1) As this was effected by the Constitution of his Holiness

at the unanimous solicitation of almost all Christendom. To complete your portrait, Sir John, whilst acting in the Catholic cause up to the present moment, you should be exhibited in the three commanding positions or attitudes you presented in the progress of the *great measure,* which you last year found it necessary, for some reason or other, to assert in open senate, *you were still as solicitous for the ultimate success of, as you ever had been.*

You were liberal, serene, and unsuspecting, whilst not acted upon by *Protestant fears.* You then had no squeamishness, no dreads of the intrigues at Rome. With conscious pride you* *avowed yourself to have been the organ of transactions of considerable moment during a long*

Pope Pius VII. so recently as the 7th of last August, which was the octave of the festival of St. Ignatius of Loyola, and Sir J. C. Hippisley on the 21st of November gave notice to the House of Commons of his wish to add this to the other documents, which on his motion were on that day ordered to be printed, it is given in an English dress, in the Appendix No. I. As the worthy Baronet has thought proper to couple me and my historical works so closely with this important document, I conceive, that it may be desirable to refer to it, whenever any one thinks it worth his while to read either the Baronet's charges, or my refutation of them. According to his favorite paper, the *Globe,* for the 22d of November, 1814, « Sir J. C. « Hippisley said, he wished to draw the attention of the House « to this fact; more particularly in consequence of the misre- « presentations, that had gone forth on the subject. Mr. « Francis Plowden, who valued himself on being considered « the Historian of Ireland, but whose historic pages, were « more known by their bulk than their accuracy, had written « a very diffused eulogy of the order, in which he had been « educated. It was in Russia, he exclaims, that this *plante « si rare* flourishes in all its vigor, where it has its General, its « professed, etc.» We shall comment upon this hereafter.

* First Let. to Lord Fingal, p. 17.

residence at Rome, some of which were considered of importance in the estimation of the Roman Catholic prelacy of Ireland. And lest the public should be left in doubt or darkness concerning the nature of these transactions, you favored them with the extract of a letter from the four Catholic Arch-Bishops of Ireland, under date of the 4th of December, 1800, in which they « acknowledged their « grateful obligations to you, for having been, *the « medium of an intercourse of amity and corres-« pondence between our beloved Sovereign, and « the supreme Pastor of our Church. Through « your exertions our national establishments in « the capital of the Christian world, are at the « eve of being fully restored to their original des-« tination,* etc.» In that same year did you print and circulate amongst your friends, that superb work of your negociations and correspondence with the Pope and Cardinals, to which I before alluded, with *fac similes* of the great men's letters to you. Some years after you boasted of having been* *authorized to enter into clandestine engagements with the Court of Rome, to which the public faith was as irrevocably pledged, as if they were sanctioned by the most punctilious formalities of office:* and as I before remarked, you had gone the length of terming the legal inhibitions of such intercourse with the Roman Pontiff, *weak, mischievous,* and *ridiculous.*

You were bigotted, agitated, and suspicious, after you had been *plied and set* by others, and after Mr. Butler had reminded you, that *you had been pleased to make yourself one of us.* Thence originated your *Catholic* fears; from that moment

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* Appendix to the substance of the speech of Sir John Cox Hippisley, p. 117.

Rome became to you an object of distrust, dread, and execration. On the 17th of May, 1814 (I wish not to make useless repetition), you alarmed the House, as to the important points*, *of the interference of the Crown in the nomination of Bishops, and the supervisions of rescripts from the Papal See, and also to a point of perhaps a graver nature, the society of Jesuits:* And that *the prelates described their meeting on February 23, 1810, as being held at Dublin in the 10th year of the Pontificate of the Holy Father Pius VII.* On that same day you also contended (1), that « according to the « bull of Pope Ganganelli, all Christian countries, « whether Catholic or Protestant, must feel it their « interest to discountenance such institutions. All « Christian States had indeed manifested their sense « of this interest: and it behoved the Government « to look with peculiar care to the institution under « discussion. The Jesuits had always been found « a powerful means of influence, a formidable band « of intriguers, and he therefore would wish to « protect his country against the *fiat* of any Pope, « for the resurrection and re-organization of such « an order.»

You are frantic, and desperate, now that his Holiness has revived the order of Jesuits. On the 22d of November last, you called the attention of the House to the (2) « Papal rescript or bull for the « restoration of the Jesuits. A subject, which when « noticed by you, only by prospective on a former « occasion, had been treated with considerable le« vity, though at the same time a Right Honorable « Gentleman now absent on a diplomatic mission,

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* *Courier* newspaper for 18th of May, 1814.
(1) *Star* newspaper for same date.
(2) *Globe* newspaper for 22d of November, 1814.

« admitted, that the revival of the order in England « after its abolition in every Catholic State, would « be of a very alarming nature, if *substantiated.* « The presumed impossibility therefore of such a « revival, could be the only ground of its being so « lightly treated on a former occasion. The fact « however was no longer to be controverted. A « *bull* had appeared, authorizing the revival of the « order in every state, in the plenitude of its origi- « nal institute. And you, Sir John, wished to draw « the attention of the House to this fact more parti- « cularly in consequence of the misrepresentations, « that had gone forth on the subject.» Mr. F. Plowden, etc. Here you take occasion, of attempting, as far as in you lies, to set the auditors of your speech, and the readers of the reports of it in the newspapers, against purchasing and reading my History of Ireland. Your words, *whose historic pages were more known by their bulk, than their accuracy,* need no comment: every indifferent reader must necessarily understand by them, that in my history I had not only been generally incorrect, but that I had unfairly *written a very diffused eulogy of the order, in which I had been educated.* Now it has so happened, that in the three ponderous quarto volumes of my *Historical Review of the State of Ireland,* or in the five octavo volumes of my *History of Ireland,* from the reign of Henry II. to the Regency under George III. there is not a single word concerning the Jesuits. You cautiously refrain from informing the public, that the work, which contains a *very diffused eulogy of the order,* as you are pleased to denominate the loose observations upon the fathers of the society, which your *Catholic* fears of them forced from me, contains a much more diffused detail of the manœuvres of you, your instructors, and co-operators in the

great measure. It may be the wish and policy of each of you, gently to smother, and effectually to check the circulation of the *Historical Letter to Sir John Cox Hippisley*, no less, than the historic pages, which in many doubtful, dark, and important points, it settles, illustrates, and confirms. I give you moreover, Sir John, large credit for not being ambitious, that this portrait of you should be in the hands of many.

There must be something more, than meets the eye, at the bottom of your severe and repeated attacks upon me in the House of Commons. Although not spoken of me, I beg leave to claim the benefit of what fell from Sir John Newport, in the debate of the 17th of May. * *It was wrong, that persons, who had no means of defending themselves, should be animadverted upon in the consideration of a different topic.* But I am to presume, that you, Sir, have not acted wrong in your place and duty in the House of Commons, or Mr. Speaker Abbott would have called you to order. This presumption leads to the obvious conclusion, that your animadversions upon me were not in consideration of a different topic. You really force me, Sir, *malgré moi*, to fancy myself of some consequence, when I find, that in the important debates upon the *great measure* (the religious freedom or emancipation of above six millions of his Majesty's subjects), you have thrice selected me out of the whole population of the British empire (take it at eighteen millions), on whose devoted head you poured out a vial of your wrath. Now as your animadversions are confined to two topics only, I am driven to discover what parts of your motions they are connected with, in order to prove them not to be in

* *Courier* newspaper for May 18, 1814.

consideration of different topics. First you take offence at, and as far as the thunderbolts of St. Stephen's vatican can reach, you anathematize the doctrines I have maintained concerning the construction of oaths (*the old Jesuitical maxim*) as your first bull of excommunication on the 17th of May announced; and finding, that it had been either misunderstood or misrepresented to the faithful by different publishers, you deemed the matter of such high import, as to issue a rider or supplementary observation, or explanation, on the 24th of that same month*. « In stating the circumstance « of the construction of an oath, as avowed by Mr. « Plowden (not Brown, as erroneously stated,) in « his History of Ireland, Sir John had also been « equally misrepresented. Mr. Plowden's con- « struction was, that oaths were to be considered « as obligatory *secundum intentionem jurantis et* « *non secundum intentionem imponentis*. This « was represented also in many of the public « prints, to have applied generally as a Catholic « principle : whereas he expressly stated, that it « was opposed to the recorded opinions of the « soundest Roman Catholic Theologians, and their « most accredited Jurists, particularly naming St. « Isidore and Justinian, as well as Dr. Paley, and « other writers of the Establishment.» The next, or rather the principal ground of offence was, that I *had written largely in praise of the society of the Jesuits* (1), and that I *had written a very diffused eulogy of the order, in which I had been educated* (2). There needs no very subtle commentary to point out the intended, though fruitless

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* *Courier* newspaper for 25th of May, 1814.

(1) *Courier* newspaper for 18th of May, 1814.

(2) *Globe* newspaper for November 22, 1814.

attempt to fix the whole body *(in which I was educated)* with holding doctrines *opposed to the recorded opinions of the soundest Roman Catholic Theologians, and their most accredited Jurists.* What can this charge be relevant to, unless it be to the rescript or letter of Monsignor Quarantotti, which contains a comment upon oaths, as unintelligible to me as Sterne's Chapter *on Noses?* I have already perhaps tired you, Sir John, and some other readers, with what I long since wished to have conveyed to the public thro' the columns of the *Morning Chronicle,* with reference to my differing upon this subject from Mr. Paley. This singular production now liés upon the table of the House of Commons under your motion, and as you have connected me with that motion, you will not think it extravagant or impertinent of me, to submit to you some loose thoughts upon its origin, composition, and effects*. Your inexorable offence at what little I have said about the society, from which I received my education, in my first *Historical Letter* to you, I unhesitatingly place to the account of those, from whom you received your *Catholic* fears of that body. Neither they, nor you, I fear, will ever cordially forgive me for having said to you in my first *Historical Letter* (1): « I merely infer, from « the progress of the *virus*, with which I perceive « you infected *(since you have been pleased to* « *make yourself one of us)*, that what a *Richerist*, « what a *Jansenist,* what a *Quesnellist* once was, « that you now are.» And—« Having detailed

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* For the conveniency of the English readers, it is to be found with the authentic translation of it into English, in the Appendix No. II.

(1) Page 99.

« their manœuvres in Holland to procure *home-*
« *made* Bishops, and to throw off the yoke of
« Rome (about the middle age of Jansenism), I
« justly remarked, that they had too strong analo-
« gies to the late insidious and covert efforts to
« *nationalize* the English and Irish Catholic
« Churches, to be passed over unnoticed.» And
in affirmance of those analogies I said: « The nar-
« rative closes with this assertion of the cotempo-
« rary Historian, under whose eyes, those tran-
« sactions were passing (the work was translated
« from the French, and published by Lewis in
« Covent-Garden, 1714). *The only pastors, that*
« *might have maintained the faithful in union*
« *with the vicar of Jesus Christ, are banished*
« *Holland: and an infinity of zealous Catholics*
« *are going to be the prey of wolves in sheep's*
« *cloathing.*»

I am credibly informed, Sir John, that although you have published nothing since you have read my *Historical Letter*, which has so maddened you against the Jesuits, you have not been idle: that you have printed, and most cautiously handed about amongst your staunch and devoted friends your thoughts and views upon these subjects, and particularly with reference to the fathers of the society, whom, as I am informed, you hold out as persons unfit to be tolerated by Government, since they are notoriously objects of distrust and jealousy to their own Bishops, the Vicars Apostolic. When your sentiments transpire (you may depend upon it, they soon will), they will be noticed. After you had long imbibed your *Catholic* fears of the fathers, and some considerable time after *you had been pleased to make yourself one of us*, and even some while after you had contemplated your own portrait, which appeared in February 1814,

upon throwing back your thoughts to your old friend and correspondent Pope Pius VII. and turning in your mind his relentless firmness in all, that's right, and foreseeing the probable result, you opened yourself upon the subject in the very debate, in which you first fell upon me for having written the eulogy of that order*. « The present « Pope was a man of excellent moral character : « yet he must be devoted to his church : and it « was possible, that under particular advice, and « looking to the Jesuits as the most potent instru- « ments of Catholic influence, who had formerly « wormed themselves into the confessionals of al- « most all courts, he might be persuaded to grant « his *fiat* for the restoration of the order. » I am not surprised, Sir John, that you are sorely humbled, as well as your employers, to find the opinions and sentiments of that great and heroic Pontiff so pointedly recognise and sanction those of the humblest of your correspondents : not merely upon the order of Jesuits, but upon the appointment of *national* Bishops in Holland ; as appears by a *breve* (1) of his Holiness, dated precisely one month after that, by which his Holiness

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* *Courier* newspaper for 18th May, 1814.

(1) The lecture of this *breve*, or *bull*, or *constitution*, is recommended as a full comment upon what I said p. 104, in my first *Historical Letter* to Sir John, and which is quoted from my *Historical Letter* to Columbanus, about the restless spirit of the managers of the queint conceit for metamorphosing *Papists*, or *Roman Catholics* (for call them which you will, they are the same) into *Protesting Catholic Dissenters : a description of persons wholly unknown to our laws*, etc. having been constantly working under cover for these last twenty years, to bring about *an Utrecht Establishment of a National Church* independent of the See of Rome. This latter *breve* is also for the benefit of my English Readers translated into that language, and contained in the Appendix No. III.

blasted your *Catholic* fears, by the revival of that order for the benefit of Christianity.

Permit me, Sir, to repeat to you, that* « I dis-« claim not the honorable pretension of having « given to the public a faithful History of Ireland. « When therefore, I repel the unfounded or mali-« cious charge of infidelity, in exhibiting the ac-« tions or conduct of any one, that has taken so « prominent a share, as you have, in the concerns « of that valuable and great people, self-defence « becomes an act of justice to them. Even *I* was « one of the objects to be fired upon from the for-« midable batteries, that were in some forwardness « in the year 1813.» Those having been dismounted, you erected new works with masked batteries upon the impregnable fortress of St. Stephen's, and thence you play in fancied security not only upon me, and my publications and opinions, but upon all those, of whom I was called upon, or forced to speak the honorable truth. My consequent duty imperiously commands me to place in broad day-light the matchless effrontery, and consummate ignorance, with which in your original speech of the 17th, and your amended and explanatory speech of the 24th of last May, you are reported to have said, that my doctrine upon the construction and obligation of an oath (*the old Jesuitical maxim*), was opposed to the recorded opinions of the soundest Roman Catholic Theologians, and their most accredited Jurists, particularly naming St. Isidore and Justinian. I have repeatedly said, that general inculpation is fairly met, with the general negative. Here, Sir John, you go further; you particularize my opinion, and you specify St. Isidore, as a sound Roman Catholic

* Hist. Let. to Sir J. C. Hippisley, p. 55.

Theologian, who contradicts it: this is bringing the matter to a tangible form. From what has been before said, my doctrine or opinion upon the obligation of an oath (particularly with reference to the oath of supremacy,) needs no repetition: and although *you* have not, *I* will minutely and faithfully refer you, and the readers of this letter to the passage, which either your own ignorance, or the malice of your instructors and purveyors of theological quotations, have misrepresented to you; and it will appear as clearly, as the meridian sun, that St. Isidore, and St. Thomas of Aquin, who cites him, both (I hope you will allow,) *sound Roman Catholic Theologians*, are emphatically with me. As you have taken issue upon this point, blame not me, if the evidence run into more profuse detail, than suits your taste, or that of some of your readers. I said before, *I wish to be concise; I wish more to be explicit.*

St. Isidore in a very short chapter upon oaths, and from the following words, it is evident, that he treats of false and insidious oaths on the part of the juror, says*, « Many forswear themselves, that « they may deceive others: that upon the credit of « their oath, they may establish the credit of their « word: and thus by perjury and lies, they de-

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* *Sancti Isidori Hispalensis Episcopi, opera omnia quæ extant. Paris:* 1601. *Sententiarum,* Lib II. *De juramento.* Cap. xxxi. p. 651.»—Multi, ut fallant, perjurant: ut per fidem Sacramenti, fidem faciant verbi: sicque fallendo, dum perjurant et mentiuntur, hominem incautum decipiunt. Interdum et falsis lacrymis seducti decipimur: et creditur, dum plorant, quibus credendum non erat. Quâcunqne arte verborum quisque juret. Deus tamen, qui conscientiæ testis est, ita hoc accipit, sicut ille, cui juratur, intelligit. Dupliciter autem reus fit, qui et Dei nomen in vanum assumit, et proximum dolo capit.

« ceive incautious man. Sometimes we are de-« ceived, being seduced by counterfeit tears : and « we give credit, whilst the tears flow, to those, « who ought not to be credited at all.» Then, says he, to prove his thesis: « By whatever artful words « you swear, yet God, who witnesses the con-« science, so receives it, as he does, to whom it is « sworn. And the juror becomes doubly guilty, « who invokes the name of God in vain, and takes « in his neighbour by deceit.» Now, Sir John, I defy the art and hardihood of all your instructors and instigators, and all the pliancy and self-sufficiency of their disciple and tool, to pretend that I speak of, or refer to a captious or deceitful oath; in fact, I have specified no other than the statute oath of supremacy, which is taken by every Member of Parliament, and numerous other classes of his Majesty's subjects, on various occasions, and for various beneficial purposes. Now, what says St. Thomas of Aquin, both from himself, and upon the authority of St. Isidore? « When there is

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* St. Thomas, 2. 2. Quæst. LXXXIX art. vii. p. 226. Romæ MDLXX. Quando non est eadem jurantis intentio, et ejus cui jurat, si hoc proveniat ex dolo jurantis, debet juramentum servari, secundùm sanum intellectum ejus, cui juramentum præstatur. Undè Isidorus dicit: Quâcunque arte verborum quis juret, Deus tamen, qui conscientiæ testis est, ita hoc accipit, sicut ille, cui juratur, intelligit. Et quod hoc intelligatur de *doloso* juramento, patet per id, quod subditur; dupliciter reus fit, quod et nomen Dei in vanum assumit, et proximum *dolo capit.* Si autem jurans dolum non adhibeat, obligatur *secundùm intentionem jurantis*: Undè Gregorius dicit, (Lib. 27. Mor.) Humanæ aures talia verba nostra judicant, qualia foris sonant: divina verò judicia talia foris audiunt, qualia ex intimis proferuntur.

JURAMENTUM.

Obligatio 18.—Juramentum obligat secundùm intentionem jurantis sinè dolo: alias obligat secundùm sanum intellectum ejus cui juratur.

« not the same intention in the juror and in the « imposer of an oath, if this arise out of any guile « (or deceit) in the juror, the oath is to be ob- « served, according to the right understanding of « him, who imposes the oath.» Whence Isidore « says, by whatever artful words you swear, yet « God, who witnesses the conscience so receives it, « as he does, to whom it is sworn. And, that this « is understood of a captious (or deceitful) oath, is « evident from what is subjoined. He becomes « doubly guilty, because he invokes the name of « God in vain, and takes in his neighbour by de- « ceit. *But if the Juror be free of guile* (or deceit) « *the oath is to be taken according to the intention* (or meaning) *of the Juror.* (*Obligatur secundum « intentionem jurantis.*) Whence Gregory says, « (L. 27. Mor.) Human ears judge of our words, « as they sound (or are uttered); but the divine « judgment takes them from the heart (that is, ac- « cording to the intention of the juror).» To shew, that I put no forced construction upon St. Isidore, I give you the title to the subject of the obligation of oaths, which is contained in the large folio volume of index of St. Thomas's works. « An *oath « obliges according to the intent of the juror, « without guile* (or *deceit*), otherwise it obliges « according to the sound understanding of the im- « poser.» Q. E. D. I much fear, Sir John, that since you set up, *Theologal* to the House of Commons, and looked with a longing eye to the high office of *Ministre de Culte* to his Majesty's Roman Catholic subjects, your instructors and purveyors of references and quotations have led you widely astray from Catholic orthodoxy: and for that reason did I in my first *Historical Letter** recommend

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* Page 114.

to you, « to examine, whether in making yourself « *one of us*, you did not gain admission into the « school of Dupin (expelled from the Sorbonne for « his Jansenism), but did not become a member of « the university of Pius VII.» How far Mr. Butler were warrantable in claiming you *as one of us*, in his letter to you of the 29th of December, 1812, and what he precisely meant by your *having been pleased to make yourself one of us*, I shall not attempt to determine. But it is my duty to remark, that it was not till about six months after he had written that letter to you, viz. on the 11th of May, 1813, that you publicly announced your assumption of *Catholic* fears, and a simultaneous renunciation of any *Protestant* fears up to that hour, of the order of Jesuits. Now, as this second letter to you, is properly speaking nothing more nor less, than an appeal to the public in self-defence against the false, unfounded, and unwarrantable charges uttered by you in the House of Commons, against my *historical* veracity, and the catholicity of my opinions, and you have stinted the first to my misrepresentation of the order of Jesuits, and the second to my doctrine upon the obligation of oaths, I must claim the natural right of being heard in self-defence: and trust, that you will indulge me in a little necessary detail.

Was I very wrong in telling you, even as far back as in the summer of 1813, for then it was I wrote the manuscript of my first *Historical Letter* to you*? « There lurks some deep mystery under « this sudden, uncalled-for, and inexplicable an- « nunciation of Catholic alarm at the revival of « Jesuitism.» But is it fitting, that such practising upon public prejudice, ignorance, and passion,

* Historical Letter, p. 131.

should for ever remain veiled in mystery? We are arrived at the unravelling of the plot, the *denouement de la piece* develops all behind the curtain, however artfully concealed or disguised before. We are all now entitled to be treated, as you boast of having treated Bishop Milner, *with your own steady and plain dealing*. I said of you in the August of 1812*, that « you had been *set and plied* « by the author of the blue books, and the author « of Columbanus' letters or addresses to the Irish. « *Duo laborantes in unum*. And that they had « obtained a short-lived triumph over you for their « own designs. » Of this you complained to Lord Fingal in January 1813 (1). I shall not attempt to repeat or copy the badges of your subserviency, of which the drawings in that portrait are perfectly correct, though the colouring be much too faint. Under this full conviction, I told you in the summer of 1813, « In referring to you three Gentle- « men, as bearing upon one common point, « *laborantes in unum*, I am free to say, that I con- « sidered you myself, and wished to represent you « to others, as formally enlisted in a cause, which « originated in error, advanced under false colors, « maintained its retiring posts by equivocation, « and defended them by the dissembling and dis- « tortion of truth. I do not speak of these devi- « ations *from the way and the truth*, as the « occasional failings of individuals, but as the sys- « tematic tactics of the party. » And this I in part illustrated by quoting the words of Mr. Scully at a meeting of the Catholic Board in Dublin, on the 26th of May, 1813: « In England there existed a « faction, whose great object it was to disparage

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* Hist. Let. to Columbanus, p. 346.

(1) Letter to Lord Fingal, p. 9.

« Ireland, the Catholics, and the Board.» All this supported what I mentioned in my *Post Union* History of Ireland * (which appeared in July 1811), of the evidence therein set forth, « of a precon« certed, extensively, clandestinely, and artfully« supported plan, to subject in spirituals the pro« scribed Roman Catholic to George III. precisely « as his reformed ancestor was to Henry VIII.» And, « that the leading abettors of the *Veto* in « England aimed at shaking off their dependence « upon the See of Rome, and establishing National « Bishops, not drawing their jurisdiction from the « Christian Primate, but in the manner of the Re« formed English Bishops, under and from Henry « VIII. downward, and according to the Jansen« istical doctrines of *Utrecht*.» I then more particularly described, the Gentlemen, who wished to become *Protesting Catholic Dissenters*, whom Mr. Burke considered having gone more than half way over to Protestanism. I remarked, in 1812 (1), « that they had been constantly working under « cover for these last twenty years, to bring about « those consequences, which were originally meant « to be concealed from its advocates and sup« porters : viz. an *Utrecht* establishment of a Na« tional Church, independent of the See of Rome.» I explicitly told you last year (2), « that the obvious « project was, that the actual surrender of the un« controulable right and indispensable duty of « appointing fit pastors to the dispersed churches, « should be made over by the Pope to the Civil « Magistrate in the first instance. Then the de« ceptive hope of a re-union of the two churches

* Vol. 3. p. 796.
(1) Hist. Let. to Col. p. 131.
(2) Historical Letter to Sir J. C. Hippisley, p. 107.

« was holden forth, as the certain consequence of « such surrender; and the golden dream of seats « in Parliament was at once realized.»

I will touch the noted fifth resolution of some English Catholics, that masterpiece of your friend and instructor, for preparing their unsuspicious and unguarded minds for letting in the Civil Magistrate into the Church Government, or laying themselves out for *Veto*, no farther, than to recall to your mind, that I last year mentioned Mr. Butler's words concerning the circumstances of its composition*, « as irrefragable and conclusive evidence, that an « English influence was then in action, distinct « from, in few things coinciding with, in many « contravening Irish interests and Irish wishes.» I then asked, not without good ground and reason (1): « Was I wrong, Sir John, in remarking, « that notwithstanding the dissolution of partner« ship, separate ventures were hazarded upon the « principle of the original speculation?» In this there was a degree of refined policy. It was requisite to know what bait would take. At the head and bottom, and in the centre of the whole, was the indefatigable manager, who has been so well described, *felt every where, seen no where*. I have more than once reminded you of his wariness in committing himself upon these tender subjects. He casts the parts with great judgment. Many useful and able actors dislike to appear in the characters of *Pierre* and *Shylock*: and it often hap-

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* Hist. Let. to Sir J. C. Hippisley, p. 137.—I have spoken particularly of this 5th Resolution in my *Post Union* History of Ireland, vol. 3, p. 788; in my Historical Letter to Columbanus, p. 249, and in the Historical Letter to Sir J. C. Hippisley, p. 137.

(1) Hist. Let. to Sir J. C. Hippisley, p. 117.

pens, that under parts, though essential to the catastrophe, are given with great effect by able, though anonymous performers. I also observed in my first letter to you, that * « upon the pre-« sumption (very groundless) that the Irish would « swallow any absurdity, and practice any incon-« sistency, provided they retained the name and « profession of the religion of their forefathers, « Columbanus had Carte-blanche to attempt any « deception or illusion, however gross, upon his « countrymen. And I must allow, he has not « stinted the discretion allowed him.» With full reflection, have I repeatedly remarked, that the would-be *Protesting Catholic Dissenters had been working more than twenty years under cover, to bring about those consequences, which were originally meant to be concealed from its advocates and supporters.* For I acknowledge, that many respectable orthodox Catholics have been induced *specie recti,* to countenance and support premises, of which they did not perceive, and much less suspect the necessary consequences, which inevitably led to the formation of such an episcopacy, as the Jansenian party, has for nearly two centuries been constantly endeavouring to establish in Holland, in successive and systematic defiance of the anathema of the Holy See (1). It has been the artful study of the party, particularly within the last century, to treat the idea of Jansenism as a phantom, existing no where, but in the bigotted mind of the enthusiast, and to feed, cherish, and support its

* Hist. Let. to Sir J. C. Hippisley, p. 117.

(1) The reader will be pleased to throw his eye once more over the breve of his present Holiness in the Appendix No. III. from which he will see the grounds of the reprobation of that sort of national episcopacy, which is so substantially, though covertly enforced by the party.

spirit and substance with unrelenting perseverence. From vanity, apathy, or some other inducement, Columbanus has lent his name to the whole system undisguised. * « Neither, says he, the *election* of « Bishops by the Pope, nor their *confirmation* by « him after election, nor their *nomination* to any « vacant see, nor the Pope's consent, nor even his « knowledge of the appointment, is a necessary re« quisite to establish the *validity* of any of these « acts (1). I do most distinctly profess my full and « deliberate conviction, that no appointment to an « Irish Bishopric can be legitimate, in the present « state of Europe, without the free election of the « diocesan clergy, etc. (2) All require a regular « mission, which is limitted by the church, and « may in some cases *be limitted by the State* (3). « I feel the necessity of recurring to the protection « of the law (4).» Is the responsibility of the law « never to be known in that church? (5)» The « *Castabala* principles are hostile to the safety of « our religion, which cannot exist or keep pace « with the rapid encrease of our population, unless « it is supported by that canonical discipline, with« out which we may transmit a vile, intriguing « ultramontane, but we cannot transmit a *legal* « *national* church to posterity (6).» « There are « English statesmen, friends to Ireland, and to the « national liberties of mankind, who without « touching a single article of our faith, will endea« vour to hold the *ægis of the law* between the « abuse of spiritual power, and the liberties of the

* Without entering into the controversy, I merely refer to Columbanus' decided opinions, 1 Col. 80.

(1) 3 Col. 13. (2) 4 Col. 39. (3) 1 Col. 14.
(4) 1 Col. 24. (5) 4 Col. 46. (6) 2 Col. 125.

« Irish people (1). The Pope's supremacy by di-
« vine right consists *only* in a power of inspecting
« the conduct of all the orders of the Hierarchy,
« etc. (2) « The election of the clergy, with the
« approbation of the gentry, and the confirmation
« of the *civil power*, is the only prudent, the only
« wise, the only constitutional, and the only catho-
« lic plan, that in the present circumstances, can
« be adopted by the Irish people.» « (3) The Irish
« nation can and ought, in the present state of Eu-
« rope, to remove the greatest obstacle in the way
« of emancipation, by the establishment of a legal
« national church; by resuming in a national
« council of clergy, gentry, and nobility, their an-
« cient right of electing their Bishops by Dean and
« Chapter, and allowing to the State a negative of
« two out of three persons, etc.» Here, Sir John, you will allow, there is a vast batch of matter, for a Vice-Prefect of the Propaganda to exercise his extraordinary powers upon; *quo non pervenit Episcoporum facultas*. Confidence is half the battle. The most learned Doctor gives manfully his name. Not so with others. Perhaps not always so with himself.

I find the columns of the *Morning Chronicle*, which were so inexorably shut in my face, open to the anonymous effusions of the abettors of these *Columbanian* doctrines (4). A new plan of unani-
« mity is suggested in a series of letters, signed
« *Conciliator*, and published No. 5, in the *Pam-*
« *phleteer*. Conciliator demonstrates from Catholic
« Historians, that the interference of the Pope was
« not tolerated in the appointment of the ministers

(1) 1 Col. 87. (2) 1 Col. 79. (3) 5 Col. 39.
(4) *Morning Chronicle* newspaper for 4th of May, 1814.

« of religion in the first days of the Irish Church. « It is to be lamented, if Conciliator's arguments « do not have due weight with the Irish Catholic « Bishops; since by getting them to concede the « supremacy, the question of foreign influence « would be set for ever at rest.» Mr. Scully was perfectly correct in saying, on the 26th of May, 1813—*In England there existed a faction, whose great object it was to disparage Ireland, the Catholics, and the Board.* I hesitate not to say, that the rescript of Monsignor Quarantotti, which at your motion, Sir John, now graces the table of the House of Commons, is the complete developement of the system of *that faction*, and was (I doubt not) conceived, brought forth, nurtured, and modelled in the British metropolis. The whole of the English Journalists were punctiliously responsive to the views, wishes, and feelings of the party. The *Morning Chronicle** speaks with the conscious ease and familiarity of a privy and director: « We per« ceive by the Dublin Papers, which arrived yes« terday, that *the* letter of *Quarantotti* from *Rome* « was received.» It closes some extravagant quotations from them with these remarkable words:— « As long as the shamrock so green shall adorn our « island, so long shall the faith delivered to us by « St. Patrick prevail in spite of Kings, Parliaments, « Orangemen, and Quarantottis.» Within five « days another paper observed (1), « that some per« sons seemed surprised at the manner, in which « Quarantotti's rescript relative to the *Veto*, and « the late Catholic Bill has been received by the « Catholic agitators. Now we are not in the least « surprised. Can any one think, after the experi-

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* *Morning Chronicle* newspaper for 12th of May, 1814.
(1) *Courier* newspaper for 7th of May, 1814.

« ence we have had, that the Catholic Claims were « the real objects? No, No. They were put forth « as the stalking-horse: but the real object of the « violent demagogues was of a very different na- « ture. To enflame, not to heal: to separate, not to « unite.» Such has been the industry of *the party*, that it is notorious, that these calumnious imputations upon the Irish Catholics, have been bruited in Rome with aggravated malignity. As the preface to your motion for printing this rescript was interlarded with remarks, that Mr. F. Plowden « valued « himself upon being considered the Historian of « Ireland, but whose historic pages were more « known for their bulk, than their accuracy,» You cannot wonder, that I am anxious, as I am entitled to disprove your assertions, and to expose your attempts to mislead the public and injure an individual. You have connected me with your motion for printing the rescript; I will not detach myself from the rights and interests of the people, whose history I have written. It becomes then an imperious duty in me, to apprize the present and future generations of the base and malignant concert of the party, to feed the newspapers and other periodical publications with inflammatory and calumnious invectives against the Catholic Clergy and Laity of Ireland, for not considering that rescript as *mandatory*, which the devisers, framers, or (at least) procurers of, had fondly anticipated as obligatory and irrevocable. It would be endless to attempt to specify the diversified attacks of an anonymous host. I select one for an instance of the rest. They all breathe one spirit: all tend to one end: all speak the same language, though in varied dialects. There is no misunderstanding them. « *In short

* *Star* newspaper for 2d of May, 1814.

« (says one of them), the whole of the letter is a
« marked censure and condemnation of the intem-
« perate language and seditious conduct of the
« incendiary Catholic Board of Ireland, whilst it
« conveys a most merited reproof of the sentiments
« of the Irish Bishops, which have served so much
« to encourage the mal-contents of that country in
« the prosecution of their wicked and alarming de-
« signs.»

From lamentable experience we know, that no writings can be too coarsely libidinous for the exhausted rake. So here we find no device, no invention, no dream too inordinate, base, or revolting, for feeding the saturated lust of a certain party for decrying and calumniating the loyalty and religion of the Irish. The English Journalists, one and all, became ravenous and rival contractors for the supply. The *Morning Chronicle* stood prominently forward on the list, as will be seen by the admission into its columns of the following egregious specimen of the pandering art*, equally remarkable for its stupidity and malice.

A Dream.—« I thought the *Pope* approached me in deep mourning, with but two of his triple crowns on his head. He waved a wand, and immediately there stood before my eyes a huge body formed of a great mass of Irish Catholics without *a head;* its limbs seemed a good deal convulsed; and what should have been the heart, appeared in the likeness of a wooden clock, the wheels made of *boards*, and pendulum composed of *brass*. This aukward machine, by a complete intercommuni-

* *Morning Chronicle* newspaper for 8th of July, 1814.— This very low, forced, and deleterious mixture, was administred by this Journalist within a fortnight of his rejection of my letter, in defence of a calumniated individual!!!

cation, regulated the motions of this immense frame, whose spasms seemed no longer unaccountable, from the nature of the impulse, which governed them. Behold, said the Pope, this heterogeneous figure. It is not *Papist*, because it denies my authority. It is not *Roman Catholic*, because it differs in the most essential point from those of that persuasion, who have in all countries yielded an interference in nomination to the supreme temporal authority. What it is I can scarcely tell, but what it will become, I have power to shew you. He then touched the great toe of the monster, with his wand, and the *Dæmon* of schism arose from the earth, riding on a hurricane, and immediately entering the belly of the body, raised the most violent commotion. One arm was strained into sedition, the other screwed down into fanaticism. One leg moved in the direction of the residence of the *Lama*, and the other bent its step towards the temple of Mecca. The stomach became excessively disordered by an influx of black bile, and the fumes of Methodism, Quakerism, Presbyterianism, and all the other *isms* issued from the passage through the neck in thick and lurid fumes; the wooden clock in the midst of this combustion crumbled into pieces, the board was consumed, the brass pendulum was melted, and under the ashes, the relicts of disappointed ambition, and selfish policy were alone discoverable.»

Apology is due to you, Sir John, and to all other readers of this letter, for having defiled it with a page of such nauseating stupidity. But as it contains hardly a word, which does not indicate low falsehood and elaborate malice, there was no possibility of conveying an adequate idea of the spirit and tendency of the composition by reference, analysis, or reflection. All would have been in-

credible: as would also be the impudent and inconsistent falsities, with which the party ushered into public the arrival of the magic piece of mechanism, which had returned to its original manufactory on the 28th of April, 1814, polished, clothed, and accredited with the art, costume, and authenticity of the *Curia Romana*. It arrived at No. 4, Castle-street, Holborn, in London (the residence of the Vicar Apostolic), and was there delivered to him to whom it is addressed, by his faithful agent, who had closely watched it through every stage of its progress at Rome, from its rude British substance, to the last stroke of that exquisite workmanship of the Roman model, in which it re-appeared in London. Nothing short of the last glimmer of dotage or the earliest dawn of puerility, could suggest, that within three days of the arrival of the rare and precious document, its contents could have become known to the different Editors of the London Journals, otherwise than through the party, who had precipitated its progress thro' all the official ceremonies of the Court of Rome with unprecedented velocity, and whose leaders were then the sole depositaries of the momentous record. I wish not to extend my observations beyond the necessity of placing every circumstance touching the important subject in broad day-light: and you will allow me, Sir John, to term that subject *important*, which intimately involves the religious freedom of six millions of his Majesty's subjects, throughout the whole extent of the British Empire, and which in open Senate, in 1813, you, Sir John Cox Hippisley, scrupled not to declare*, *you had been labouring eight years in enquiries upon.*

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* Hist. Let. to Sir J. C. Hippisley, p. 126.

To you, Sir John, as a Brother Barrister, and as the learned Recorder of Sudbury, it will not appear pedantic to refer to the old adage, *Qui facit per alium, facit per se.* The attempts to pre-engage the first impressions of the public, through stipendiary Journalists, are obviously traced to that source, from which alone information was to be derived as to the existence, arrival, or contents of the mysterious document. Little time was lost in preparing the *Pilot* newspaper (generally deemed favourable to the Catholic Cause), to announce on the 30th of April, the following false statement of the recent arrival from Rome. « We have just « heard, from unquestionable authority, that the « first act of the *Pope* on his re-establishment at « Rome, was to pass in full consistory, with all « the Cardinals unanimously agreeing, an arrange- « ment giving to the British Crown the desired se- « curity, respecting the nomination of the Catholic « Bishops. We are assured, that special instruc- « tions to this effect have been dispatched by his « Holiness to all the Catholic Prelates in the British « Empire.» This first annunciation in a favorite newspaper bespoke the very quintescence of the spirit, views, and intentions of the devisers, modellers, and procurers of the rescript. The three days immediately following the arrival of the rare exotic were not spent in idleness; the prefigured triumph was followed up with all the wonted industry of the party. The Roman instrument was committed to the English press, and made its public appearance in the British metropolis in a folio and quarto edition: it was translated into English for the benefit of the unlearned, and published in the leading London Journals, subscribed *agreeable to the original, Joseph Hodgson, V. G.* On the second day of May, copies of it were sent in circulars to

the whole Irish Hierarchy from Dr. Poynter: and on the same day appeared in the *Sun* newspaper in London, an elaborate and very unfaithful analysis of it, still striving to rivet the first impressions of the public, by the notorious and rank falsehood, that « this was the first act of authority, which was « exercised by the venerable Pontiff, after he was « released from his oppressed and lamentable cap- « tivity.» On the same 2d day of May, the *Morning Chronicle* brought forth an untimely, hard-laboured epitome of the Vice-President's letter, before it had appeared in public, and which had been furnished by the holders of the original, with the like strained construction, or rather wanton assumption, that his Holiness found « the *Veto* « proposed to be given to the King of Great Britain « in the appointment of Bishops and Deans in his « dominions, was strictly conformable to the rules « and practice of the Holy See, and would be cor- « dially acceded to, and acted upon by the Sove- « reign Pontiff in all time to come: and also, that « all correspondence between Roman Catholics « and the Holy See should in future be subject to « such inspection and controul, as was proposed « by the late Catholic Relief Bill, the whole of « which is highly applauded *.»

*I have been, perhaps, redundantly anxious to place before the public, the inexorable perseverance of the party in forcing into circulation (always without name or responsibility), fiction, falsehood and calumny, to serve their ends. From the first dawn of the rescript, the Journals, which vied with each other in prostituting their sheets to the intrigues of the party, were fed with such coarse, revolting, and malicious untruths concerning it, that if brought together would form such an exquisite specimen of the craft, as to entitle the purveyors of the articles to the first Quesnellian prize for the running century. The following compound of improbability, untruth

I offer no further contradiction to this last unblushing falsehood, than a reference to the rescript, and a difference from all those, who construe the unfounded words of the instrument *hæc tam optata lex*, into *high applause of the whole bill*. You must be sensible, Sir John, that I cannot vindicate the impeached accuracy, without somewhat encreasing the volume of my historic pages. I hesitate not to affirm, as an Orthodox Catholic, that Church Government is solely carried on by spiritual jurisdiction, that spiritual jurisdiction resides eminently, potentially, and in plenitude in the visible head of Christ's Church upon earth, from whom it flows mediately or immediately to the members of the dispersed churches: that the unbroken chain of this jurisdiction is traceable through the successors of Peter up to that Prince of the Apostles himself, of whom St. Optatus said in the 4th century, *Qui claves regni Cœlorum communicandas cœteris, solus accepit*, who *alone* received the *power of the keys* to impart to others: that as order and mission therefore can *only* be validly derived from that source,

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and malice, defiled the columns of several London Journals of January 1815. « It is said, that the Veto has been assented « to by the Pope, that M. Quarantotti's rescript has been con« firmed by his Holiness: that Dr. Murray, who was under« stood to have been sent over by the violent party of the Ca« tholics, expressly to influence the Court of Rome against the « concession of the Veto, has been ordered to return to his « occupations in Ireland: and that Dr. Milner has been dis« graced, and if not stripped of his titular rank, laid under « severe censure.» The low malice of setting afloat such known falsehood, of such malevolent tendency, and such vindictive impotency, to annoy, teaze, and perplex the minds of millions interested in the result of the measure, reminds one of the spiteful malice of lewd beggars, who blow vermin through quills upon those, who refuse them alms.

to attempt to bring the exercise of that exclusive prerogative and power under the coutroul of the Civil Magistrate, as the proposed Relief Bill evidently purported, could not be *tam optata lex, a very desirable law* to any man holding this doctrine. On this account the venerable Hierarchy of the Catholic Churches of Ireland unanimously resolved, on the 26th of May, 1813, that « certain « ecclesiastical clauses or securities therein con« tained are utterly incompatible with the disci« pline of the Roman Catholic Church, and with « the free exercise of our religion; and that we « cannot, without incurring the heavy guilt of « schism, accede to such regulations.» You are misled and deceived by your instructors in this, as you have been in many other points, if you fancy, that the great majority of the English Roman Catholics, with Bishop Milner at their head, are not in perfect unison with the Irish Hierarchy. I have told you (perhaps *ad nauseam*), that in becoming *one of us*, you were initiated into the heterodox school of Dupin, without becoming a member of the university of Pius VII. Vouchsafe, most worthy Baronet, to throw back your thoughts, to the whole of the proposed Relief Bill, and to the reechoed scholium upon it by your friend Monsignor B. Quarantotti; and as the zealous, though temperate advocate of religious freedom, recollect, that the great mass of his Majesty's Roman Catholic subjects have always been, and ever wish to be, known to walk in faith with the venerable Hierarchy of the Irish Churches, and not with that set of religious non-descripts, who in 1791 * « intro-

* First Blue Book, p. 2. Vide my Case stated, published in 1791, p. 145, and *alibi passim*. Also my History of Ireland, vol. 3, p. 790, where I obsere in a note, that the leading abet-

« duced themselves to the notice of our laws, and « that in a very marked, and pointed manner, as a « description of persons wholly unknown to them « before, the *Protesting Catholic Dissenters:* » to whom you were so devotedly attached, as to declare in the House of Commons on the 31st of May, 1811, that « as long as you had a seat in that « House, you should never consent to any Bill « without a clause in pursuance of those resolu- « tions of the Committee of the Catholics » (i. e. the *Protesting Catholic Dissenters*). And when you shall have repassed all these various coincidences in your mind, I make free to recommend to your closet lecture some verses of the * 18th chapter of the earliest ecclesiastical history we have of the Christian Church. You may thence trace the very first unwarrantable attempt upon *spiritual jurisdiction*, and how it was treated in the times

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tors of Veto in England were (with some subaltern Neophites,) the *Protesting Catholic Dissenters*, « whom the late Mr. « Burke assured the author, he considered, as having gone « more than half-way over to Protestanism; and he waited « with extended arms to give them the fraternal embrace, « when once they should have crossed the line. » This was spoken by Mr. Burke in the presence of Sir Henry Tichborne, Bart., to whose memory and testimony the author appeals.

* Acts VIII. v. 13, etc.—« Then *laid they their hands on them*, and they received the Holy Ghost. And when Simon saw, that through *laying on of the Apostle's hands*, the Holy Ghost was given, he offered them money, saying: Give me also this power, that on whomsoever *I lay hands*, he may receive the Holy Ghost. But Peter said unto him, thy money perish with thee, because thou hast thought, that the gift of God may be purchased with money; thou hast neither part nor lot in this matter: for thy heart is not right in the sight of God. Repent therefore of thy wickedness; and pray God, if perhaps the thought of thine heart may be forgiven thee. For I perceive, that thou art in the gall of bitterness, and in the bond of iniquity. »

of the Apostles. Prithee, Sir John, take from me in good part one general warning. Nothing so effectually damns a cause, as charging the adversary on the outset with falsehood and calumny. They were the oldest weapons and tactics of the enemy to Christian truth*. « We have found this fellow perverting the nation, and forbidding to give tribute to Cæsar (1). « And the Chief Priests and Scribes stood and vehemently accused him. » « (2) If thou let this man go, thou art not Cæsar's friend: whoever maketh himself a king, speaketh against Cæsar. » You see, Sir John, the alleged incompatibility of *spiritual supremacy* with *civil allegiance* is a *pharisaical* device of some standing in the annals of Christianity.

As you, Sir John, have thought proper, and Mr. Speaker Abbott by not checking you has acquiesced in the propriety of your coupling me and my writings and opinions with your motions for printing for the use of the members the rescript of Monsignor J. B. Quarantotti of the 16th of February, 1814, and the constitution of Pius VII. of the 7th of August, 1814, I must be supposed by others to be in some manner connected with both these subjects. I submit therefore rather to a duty, than claim a privilege, in delivering my thoughts with freedom upon each of these documents. Under your motion they are now in the hands of all the members of your House: and by inserting them in the appendix to this letter, I wish them to be in the hands of as many readers of the reports of your speeches, as must have wondered at the forced obtrusion of my name, writings, and opinions, into these debates.

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* Luke 23, 2. (1) Ib. 10. (2) John 19, 12.

I have often reminded you, Sir, that it was a task of difficulty, and necessarily a work of prolixity, to unravel a plot of many years hatching: especially when carried forward by persons *felt every where, seen no where*. The weight of the visible labour is performed by deputy: and it has been your constant lot, Sir John, to have been fancied an useful tool in the hands of some manager or other. I said in my History of Ireland* (perhaps not accurately in your judgment) « The Honorable « Baronet was amongst the admirers of, and be« lievers in Mr. Pitt's professions: he was honored « with such a portion of the great man's confi« dence, as just qualified him to perform the part « allotted to him without being initiated into the « *denouement* of the piece, which that crafty in« triguer was then getting up.» Without verging very widely from historical accuracy, I feel myself well warranted in representing you acting under similar relations (to a less great man undoubtedly), as to the rescript, which you have with such greedy anxiety served up to the table of the House of Commons. I cannot too frequently nor too earnestly enforce, that this extraordinary document, is the *denouement* of the projects of the newly-introduced strangers to our laws in 1791: and I beg leave to remind you this year, as I did last, « (1) In « sifting and weighing evidence, circumstances « apparently trivial, sometimes form the firmest « links in the chain.» My remaining task will be plain sailing: to judge of a written document, which speaks for itself: and which, I am at full liberty to treat without reserve, since it has been

* Vol. 3. p. 835.
(1) Hist. Let. to Sir J. C. Hippisley, p. 9.

declared by those, to whom it is principally addressed, namely the Irish Prelates, in the most solemn manner (in national synod), that it is *not mandatory*. Having before spoken of certain weapons and tactics anciently employed by the enemies of Christian truth, I cannot wean my thoughts from the contemplation of some other of their manœuvres in their first campaign. « * And they watched « him, and sent forth spies, which should feign « themselves just men, that they might take hold of « his words, that so they might deliver him into « the power and authority of the Governor. »

I deem it necessary to premise the reflections I am about to offer, with an explicit declaration, that every orthodox Catholic believes, that the primacy of St. Peter and his successors the Bishops of Rome was instituted by Christ, and that obedience is due to them from all Christians, and that the majesty of the Apostolic See is to be revered by all nations, in which the faith is preached, and the unity of the church is preserved: that the plenary power over spiritual things is vested in the Apostolic See, and the successors of Peter the Vicars of Christ: and that in matters of spiritual discipline and church government, as also in questions of faith, it belongs peculiarly to the chief Pontiff to decide, and his decrees are obligatory upon all the dispersed churches. But, that no power was given by God to blessed Peter and his successors over civil or temporal things, every Catholic believes, and most of his Majesty's Roman Catholic subjects have sanctioned their belief by their express oath. Hence upon the regular and solemn issuing of any decree by the Sovereign Pontiff on matters within the competency of his power and range of his pastoral duty,

* Luke xx. 20.

the corresponding duty of the flocks, collectively and individually, is simply *submission*. Every such decree is in its nature mandatory, and therefore obligatory. Whence the canonical adage—*Roma locuta est, causa finita est*. Now what is the plain case of the rescript? We are to judge of it from the context, as it lies before us. *Nescit vox missa reverti*. We may not construe this instrument *secundum intentionem imponentis*. It would be nugatory here to ask—*Quis imposuit? Et quo Animo?* That is, lamentably, too clear. The first part of the interrogatory is however obviously answered by a negative. Not his Holiness. The latter part will receive an unequivocal answer in the unsophisticated exposition of the text. We shall simplify and curtail labour, Sir John, by following our technical rules for construing deeds. First, no parol evidence can be set up against a written deed. This puts *hors de combat* a vast mass of explanation, which is usually given by the defenders of the rescript, upon the sincerity of the British Government in their professions in favor of the Roman Catholics; the disinterested zeal of the Vice Prefect of the *Propaganda*, and his most learned prelates and divines for the purity of Catholic faith and the perfection of church government; the accommodating quiescence of the solicitors for *Veto* in the mandates of Rome and the expectancies of St. James'; the unsoliciting generality of the instructions given to the English Agent at Rome; his delicate forbearance to make known the wishes of his principals; the nicely calculated prevention of his Holiness' return to Rome; and the happy concentration of all the jarring principles and feelings in this new ark of the covenant between Rome and the sworn enemies of her prerogatives. We

are naturally then brought to consider the instrument, as it exhibits itself to the reader.

The first object of enquiry, when reading a written deed, mandate, or decree is, whether it be clothed with those formalities, which certify its genuine authenticity; that is, whether it bear the signature, the fiat, the certificate, the seal, the delivery, or other mark of execution by the only person, who can give it efficiency. Here nothing of that is pretended. But it is contended, that Monsignor J. B. Quarantotti has, in the absence of the Sovereign Pontiff, executed a power or commission vested in him by his Holiness for the special purposes of the rescript. Here then are we driven to look into the execution of the power or commission attempted or intended to be executed: and the first object of investigation (which in most cases appears redundant), is the title to the power, in the person undertaking to delegate or depute it to another. *Nemo dat, quod non habet*, is a truth so transcendently conclusive, that if fairly taken and applied to the case in question, will supersede the necessity of urging a single argument against the efficiency or validity of the greater part of the rescript. All that the rescript specifically purports to decree, and all that it generally refers to, as allowable by the indulgence of the Apostolic See, is emphatically *civil* in its nature and tendency; and I scruple not to assert, that to admit, that the papal powers extend to affect what is civil or temporal, is nothing short of substantial perjury in every one, who has upon oath renounced the temporal power of the Pope within the Kingdom of Great Britain and Ireland. By *the true light, which lighteth every man, that cometh into the world*, we all know, that to be grateful to a *civil* legislature, for passing a *civil* law, is a *civil* act: and I having sworn, that I do

not believe, that the Pope of Rome hath or ought to have any temporal or civil jurisdiction, power, superiority, or pre-eminence, directly or indirectly, within this realm, cannot consistently with such oath, admit, that I am controulable by his Holiness, or subject to any decree he can issue to direct, model, or force my *civil* conduct in such *civil* matter? What then is to be thought and said of these words, « *decretum est, ut Catholici legem, quæ superiore « anno rogata fuit, pro illorum emancipatione « juxta formam, quæ ab Ample Tuâ relata est, « æquo gratoque animo excipiant et amplec- « tantur?* » Not only is this a decree upon a subject not within the competency of the power, from which it is expressed to issue; but the authenticated translation of it is unfaithful. Under correction of Theologians, Canonists, and Grammarians, I maintain, that the Latin words, *decretum est, ut Catholic legem, æquo gratoque animo excipiant et amplectantur,* are imperative: and not optional, as the English words are, that the Catholics *may* with satisfaction and gratitude accept and embrace the bill. The term *toleration* essentially imports, that the power, which tolerates, imparts a boon, privilege, or indulgence of some sort to those, whom it tolerates; and by necessary implication assumes a controul, superiority, or command over the thing, which it tolerates in others. Can then the man, who has sworn, that he does not believe, that the Pope has or ought to have any direct or indirect temporal power within our realm, admit with a safe conscience, his Holiness' power of tolerating any thing, which is within the competency of civil authority? « Hæc omnia, cum id tantum « respiciant, *quod civile est,* omnem mæreri tolerantiam possunt. » Can the *temporal* power be supreme and independent, if it be to look up to the

spiritual for toleration? Toleration formally excludes supremacy and independence between the tolerator and tolerated.

Beyond his Holiness' incompetency to decree, enjoin, or order any thing in our united kingdom, that is of a civil or temporal nature, another preliminary and conclusive argument stares us in the face against the authority of the rescript. In admitting, and consequently submitting to the jurisdictional supremacy of the Sovereign Pontiff, I cannot figure to myself the investiture of that vicarial dignity, disannexed from certain duties imposed upon the vicar, by the divine founder of the church, whom he represents on earth. In these duties I found the rights and prerogatives* of the Holy See.

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* I once quoted to Columbanus (Reply 6,) what may not be improper to bring into your thoughts, especially since you have *become one of us;* it was written by Pope Nicholas I. in the 9th century, to the Greek Emperor Michael (Apud Natal. Alex. T. 4. p. 334). « The privileges of the Roman « Church were vested in St. Peter by Christ's word of mouth; « they are deposited in that very church, they have been ob- « served from all antiquity, they have been holden in venera- « tion by the holy universal synods, and they have been as « such received by the holy church. By no means can they be « diminished, by no means changed: because the foundation, « which God has laid, no human effort can remove. The « privileges I say of that See or Church are perpetual, they are « rooted and planted by divine power: they may be assailed, « transferred they cannot be: they may be plucked at, up- « rooted they never can be.» These quotations are offered to you, Sir John, since you *have been pleased to make yourself one of us*. The purpose, for which I quote these words in a work, which I hope may come under the eyes of many Protestant readers, is, that they may see, that the venerable Catholic Bishops of Ireland, are only following up the uniform and invariable doctrine of the Church of Rome, in resisting the innovations of the present day, as Pope Nicholas I. did those of Photius, the schismatical patriarch of Constantinople, who held, that when the Emperors transferred the seat of Empire

With plenary deference, then, and under theological correction, I affirm, that his Holiness can no more shake off, abandon, or neglect the awful duty imposed upon him by the divine founder of the church, of feeding, teaching, and governing the whole flock of Christ (*feed my lambs, feed my sheep*), than he can assume and exercise a sove-

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from Rome to Constantinople, the supremacy of the Church of Rome and her privileges had also passed to the Church of Constantinople: and who assembled a council there, in which he passed sentence of deposition against Pope Nicholas, and excommunicated all, who should communicate with him.—Thus did Gaschet (it is to be wished he were not seconded by a turbulent gang of schismatics,) « affirm it to be blasphemy to « pronounce the name of the Pope in the canon of the mass, « denying, that the Pope is in the church or in communion « with it: he appealed to the tribunal of the universal church « against the Pope and his Bishop. Rejecting the communion « of Pius VII. and declaring him to be a false Pope, who had « lost all authority and dignity in the church, and that the « Pope was therefore to him as a heathen or publican.»—Hist. Let. to Columbanus, p. 7). Under the circumstances of Photius' anti-papal fury, his Holiness (Nicholas I.) wrote thus to the Fathers of the Gallican Church assembled at Troies in 867, « Before we had sent our legates to them, they (meaning the « Greeks) covered us with praise, and supported the high au- « thority of our See; but since we have condemned their ex- « cesses, they hold another language, and overwhelm us with « reproaches: and (thanks be to God,) not having found any « thing personal to fasten upon us, they have betaken them- « selves to attack the traditions of our fathers, which *their « predecessors never durst attack.*» The Historian Fleury says of Photius, that « he was the greatest and most learned man of his age: he was a complete hypocrite, in action a profligate villain, in language a saint.» *C'étoit un parfait hypocrite, agissant en scelerat, parlant en saint.* The Irish Bishops in national synod on the 18th of November, 1812, resolved not to give faculties to any priest holding the Pope to be an heretic or a sysmatic, or the abettor of heresy or schism. And on the 29th of December, 1812, your instructor Mr. Butler assured you, *That there was not the least necessity for it.*—(Hist. Let. p. 34).

reignty or supremacy over temporal or civil matters, and over temporal or civil powers.

Be not led astray, Sir John, by any of your instructors, to believe, that we Roman Catholics, who submit to a plenitude of jurisdictional supremacy in the Chief Bishop of the Christian Church, cannot prove our *reasonable service*. We submit not blindly to every deed, instrument, or rescript, which comes from Rome. The object of it must be purely spiritual, and the tendency of it must be within the range of his Holiness' rights and duties. It is the right and duty of the flocks to make these previous enquiries, before they submit. Never, I believe, did a rescript issue from Rome, which carried upon the face of it so much mistrust, suspicion and jealousy, as that of Monsignor J. B. Quarantotti. It purports, in fact, to be the execution by a sub-deputy of such extraordinary and extravagant a power, that the most obsequious devotee to his Holiness cannot forbear considering incompatible with his high vicarial duties. The person, who undertakes to execute this very special commission or power, requests Dr. Poynter, to whom it is addressed, to cause it to be « communicated to all the « Bishops and Apostolical Vicars in the kingdom, « and trusting, that they will promptly and en- « tirely conform themselves to these things, which « *from the power vested in us* have been decreed. »

Now it must be remembered, that the only *Bishops* of the kingdom, upon whom this decree was to be served, were the Irish Bishops. And they had in national synod on the 24th of February 1810, amongst other things resolved, « That the « spirit of fellow-suffering with the afflicted Church « of Christ, and of abhorrence of the misdeed, by « which the salutary function of the Papal See has « been intercepted, through open violence against

« the meekest of men, as well as the sentiment of « duty, fraternity, and reverence, towards our « guiltless Brother and Spiritual Chief, forbid us to « take up as spoils, any part of the right of the « Apostolic See so invaded, violated, and trodden « down for a time by sacrilege.» And on the same day they circulated an encicical letter to the Roman Catholic Churches, by which they judged, concluded, and declared, that during the captivity of his Holiness, they refuse, send back, and reprobate, and for themselves they annul and cancel, as to any effect, all briefs, or intended briefs, bulls, or pretended bulls, rescripts even as of his own proper motion, and certain knowledge, bearing title as from his said Holiness, and purporting to be declaratory as from his free, or of any resignation of the Papal Office, etc. Now is it to be conceived, after this cautionary firmness of the Irish Bishops, not to be surprised with any act even signed by their captive Sovereign Pontiff, that they should not call for and scrutinize with the most punctilious jealousy, the Papal grant of a power or special commission, during his captivity, to a subdeputy to exercise larger and more extraordinary powers, than any Sovereign Pontiff had ever executed in person.

As the rescript has in fact issued, it carries on the face of it, its whole credit and authority; and that goes not beyond the bare word of Monsignor J. B. Quarantotti, with numerous references to facts, circumstances, and documents, to which the persons called upon *promptly and entirely to conform themselves to these things*, can have no access. In the first place, his investiture with full pontifical powers is kept out of sight; no date, no place, no deed, no specification to lead to the knowledge of the fact. In the next place, the Relief Bill, upon

the clauses of which, so much of the rescript is built, is now a non-entity; it is no where recorded, no where to be had, and of no sort of authority if procured. Then again the letters of Dr. Troy and of Dr. Poynter, written to the Propaganda, are to be seen by no one, if they have existence. And lastly, how are the Irish Bishops to learn the points, upon which the most learned prelates and divines were consulted? And if known, of what binding quality upon them are their opinions? Neither then the Bishops, nor their Clergy, nor the Laity, can be bounden to yield canonical obedience to any special command or mandate of his Holiness, which is not specifically set forth on the face of the decree, or referred to in such a manner, as that each person liable to the decree may acquire the certain and full knowledge of the pontifical act, which created the special commission to be executed. Here another difficulty occurs, which calls upon Monsignor J. B. Quarantotti to make out his own title, as a special exception to the general rule *delegatus non delegat*. The rescript ought to be resisted in the first instance, if it be not the act of the Holy See. Nothing can clothe it with that quality, short of a special and most extraordinary commission given by the Pope to Monsignor J. B. Quarantotti, to do what he has attempted, or pretended to effect by the rescript. The first presumption is, that his Holiness gave none such; or it would have been, as it ought to be, specially set forth on the face of the deed or instrument, by which the power is affected to be executed. The next and much stronger presumption is, that his Holiness never gave, or intended to give powers to another, which he could not exercise himself. Such affect, all that part of the rescript, which purports to decree what is clearly of a civil or temporal

nature, which goes to controul and direct the political rights and conduct of his Majesty's subjects within the United Kingdom, and which assumes to impart or allow a toleration to the Civil Magistrate in things within his competency. A further presumption is, that his Holiness enabled no one, during his captivity, to make concessions on the part of the Holy See, which to a simple layman appear to break in upon the prime duty of Christ's Vicar, of filling the vacancies of the dispersed churches with See-worthy Prelates. To speak plainly, if this rescript be binding in those matters, which are of the competency of the spiritual power to settle, it amounts to a full *concordatum* between the Sovereign Pontiff and his Majesty for the nomination of Bishops by an Acatholic Prince, who gives no civil establishment to the Catholic Religion, and who cannot therefore set up on that ground any civil right of nomination or presentation. The British Monarch, as the law now stands, is sworn at his coronation to govern according to law. Numerous laws exist in Great Britain and Ireland, which render the profession and exercise of the Catholic religion criminal and punishable; and others for checking the growth of Popery, and encouraging and rewarding the renunciation of what are called its errors. The Monarch must then be considered a sworn enemy to the Catholic religion, as long, as the present laws and coronation oath exist. The obvious effect therefore of royal nomination, *admitti vel rejici a Rege possunt*, will be the appointment of such Prelates, as would weaken, let down, and extinguish the Catholic religion, and the rejection of such, as would strengthen, encourage, and propagate it. Who does not see, how pointedly the sworn duties of the Monarch, as the

law now stands, are in opposition to those of the supreme Pastor?

Well may we doubt, whether his Holiness can, but we must confidently presume, that he never did authorize any one during his captivity to answer for himself and his successors, that no occasion shall ever occur, in which a correspondence may necessarily take place between the supreme Pastor and other Pastors or Ministers of the dispersed flocks, requiring indispensable secrecy. Piteous is the flat nonsense, with which this part of the rescript is worked up, to inculcate as a Catholic duty the cordial adoption of a mongrel lay-committee, to inspect and controul the most secret, confidential, and important intercourse of the flocks with the supreme Pastor. What can be more repugnant, than to admit, that « those matters only shall be « kept secret, which affect the internal tribunal of « conscience :» and the approbation of a lay committe (no matter whether Catholic, Protestant, or mixed), « to examine any letters, which are sent to « any of the clergy of Great Britain from the ecclesiastical powers, and diligently to enquire, whether any thing be contained therein, which may « be obnoxious to the Government, or in any way « disturb the public tranquillity.» How is *diligent enquiry* to be performed without canvass and debate? And how are things canvassed and debated kept secret?

The concluding exhortation is a most unfounded, wanton, and malicious lash at the Irish Bishops, who have thrice in national synod unanimously reprobated, condemned, and encouraged their flocks to resist (in a legal manner) the spirit, purport, and effects of the ecclesiastical clauses introduced into the Relief Bill, as directly tending to schism, and destructive of the discipline and government of the

Catholic Church. Three sets of explicit resolutions of so respectable an Hierarchy, as that of Ireland, convened in synod for the direct purpose of considering those ecclesiastical arrangements, are evidently obligatory upon their flocks (consisting of above five millions), until they shall have been formally revised, censured, or rescinded by the highest authority: that is the Pope, or a general council. Can it be presumed, that his Holiness Pius VII. did from his captivity specially authorize Monsignor J. B. Quarantotti to examine, annul, or condemn the synodical acts of a regular Hierarchy? Perhaps he could not: certainly he ought not. Evidently the Irish flocks are not discharged from obedience to their pastors, upon the *word* of Monsignor J. B. Quarantotti.

As you, Sir John, have seldom directed the minds of your brother senators, to the consideration of this very singular document from Rome, without seasoning your address to them with a spice of invective against my heterodoxy upon the construction of oaths, and the historical inaccuracy of my writings, I could not with propriety close this letter without offering to you some fugitive thoughts upon the singular production of Monsignor J. B. Quarantotti, or of his solicitors, or draughtsmen of this highly rectified compound of policy and religion. They are merely *epea pteroenta;* to use the idea of your old friend, and the old friend of some of your new friends, the Rev. John Horne Tooke. Having however given much consideration to the subject, you will forgive the freedom, wi h which I compress into one sentence the real impression, which the frequent lecture and unbiassed consideration of the wonderful composition has produced upon my mind. Should you however view and feel the religious policy, or the

political religion of the composers differently from me, I still bar your right, to place those differences to the account of my *historical inaccuracies*. My opinion then is, that the rescript is completely of British manufacture; fitted with studied, but flimsy craft, to the hollow views of the British Cabinet, to the insidious designs of the Board of British Catholics, and to the illusion as well of all Protestants, who are or wish to be thought liberal, as of that vast multitude of persons, who are either unable or unwilling to dive deeply into so uninviting a subject.

As your attack upon my historical inaccuracy, and my opinions upon the construction of oaths in the House of Commons, gave rise to this second historical letter, and the only specified charge of inaccuracy, which I have been able to collect from any of the newspaper reports of your speeches, relates to what I have said of the Jesuits (N.B. *not* in my History of Ireland, where they are not mentioned, but in my first letter to you), I shall close it with some reflections upon these two subjects: *Servetur ad imum, qualis ab incœpto processerit.*

Were I armed, Sir John, with a commission to examine you upon interrogatories, I might perhaps come at the date of your earliest knowledge of the contents or substance of the rescript, which you have so perseveringly brought before the House of Commons. And whether your lecture of the singular comment upon swearing contained in it, after the arrival of your friend Mr. M'Pherson * in London, on the 28th of April, were the first intima-

* From the note, p. 67, in Sir J. C. Hippisley's Letter to Lord Fingal, and the tender anxieties, which the honourable Baronet expresses for that gentleman and the knowledge of his private motions on the continent in 1812, I have presumed to call him the friend of the worthy Baronet.

tion of any such doctrines wanting the sanction of Rome, in order to forward the political purposes of the religious suitors and doers of the rescript, that you ever received upon that subject? You must have been sorely sensible of the wide distance of my doctrines on oaths from those of the rescriptors. *Hæret lateri lethalis arundo*. You could never mention Monsignor J. B. Quarantotti's letter to Dr. Poynter in the House of Commons, without easing your wound by a discharge of peccant humour, engendered from the opinion of a private lawyer on the construction of an oath. You felt it yourself, or were warned by others, that the doctrines I maintained upon this subject formed an impenetrable shield against the unvoluntary or improvident seduction of the upright, into consequences unforeseen, from which they would recoil with horror, when perceived. It was in contemplation of such probabilities, that I « *offered to Columbanus in 1812, what I had said in 1791 upon « a test trap, and mock docility to spiritual power. « I call it a test trap, because it was a manœuvre « to entrap the body of the Catholics in an un- « intended disclaimer of some of the highest ju- « risdictional prerogatives of Christ's Vicars upon « earth: to illaqueate them in a subscription to a « formula at variance with their pratical submis- « sion to the authority of a living judge of con- « troversy in the church ». You will bear in mind, most worthy Baronet, that the school of Dupin is famed for its pliability to all manner of tests, and oaths, whether of adhesion or rejection, and for the purposes of admission or exclusion. The *Animus jurantis* (that is, of an honest, upright, and conscientious juror) is a hard mouthed

* Appendix to Hist. Let. IV. Columbanus, p. 54, 55.

nag, which cannot be softened, or managed by the rider at will, but will have *its own steady and plain dealing* (as you had with Bishop Milner), and will refuse to take any oath, which is to be construed by the imposer, contrary to the plain and obvious meaning of the words and terms, in which the oath is expressed. But your doctrine of the *animus imponentis* sweeps away all difficulties and delicacies concerning the wording of oaths; the imposer with this simple snaffle is compleat master of his beast, turns, checks, and carries him over all at will. There is, but one field, into which the modern orthodox writers admit your favourite rule of interpretation. And I am very sincere in wishing you well out of it; however long you may have practised in the *manege* for qualifying for field exercise. It is, *de juramento ficto et doloso*. And rightly does the rule hold there, for a counterfeiter and cheat shall never profit of his own fraud and treachery. Therefore the pith of the most accredited Roman Catholic Theologians is compressed by the editor of St. Thomas's works, into the unequivocal words: « Juramentum obli-« gat *secundum intentionem jurantis sine dolo:* « alias obligat secundum sanum intellectum ejus, « cui juratur.» I have already said more to you upon this subject, than you, perhaps, have relished. I cannot however forbear remarking the singularity of your imputation to me, that my opinions are neither Catholic, as they disagree from those of St. Isidore, nor Protestant, as they do not chime with those of Dr. Paley. Now, Sir John, I will candidly admit, that there are persons calling themselves Roman Catholics, who are as passionately zealous for forming an union with the Established Church of England, as Dr. Dupin was with Archbishop Wake, with whom I am not very ambitious of

concurring in opinion. I have frequently lamented the degrading obligation, which carries upon the face of it a systematic excess of mistrust and suspicion, of superadding a solemn declaration* to my solemn oath, that I swear without any intention of deceit or treachery: in other words, that my oath is *nec fictum nec dolosum*. I am free to say, I have ever heretofore placed the imposition of this revolting condition to the illiberality of the Government, which could enforce so debasing an exaction for no other purpose, than to traduce the religious principles of that set of jurors, from whom it was required. Henceforth I revoke my judgment, and with reluctant confusion I admit, that from the practices of some, whom that Government was entitled to consider Roman Catholics, the exaction of the humiliating declaration, was not even redundant. Little did I ever expect to live to see a public instrument, bearing all the marks of authentic emanation from the metropolis of Christendom, attempted to be circulated through our distant

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* And I do solemnly in the presence of God profess, testify, « and declare, that I do make this declaration, and every part « thereof, in the plain and ordinary sense of the words of this « oath, without any evasion, equivocation, or mental reser- « vation whatever, and without any dispensation already « granted by the Pope, or any authority of the See of Rome, « or any person whatever, and without thinking, that I am, « or can be acquitted before God or man, or absolved of this « declaration, or any part thereof, although the Pope, or any « other person or authority whatsoever, shall dispense with or « annul the same, or declare that it was null or void.» Such is the conclusion of the oath prescribed to be taken by English Roman Catholics by the 31st of his present Majesty. The like declaration is contained in the oath prescribed to be taken by the Irish Roman Catholics by the 13th and 14th of his present Majesty, with the sole alteration of the additional words after *God, and of his only Son Jesus Christ, my Redeemer.*

churches, countenancing, sanctioning, and even enjoining the practice of swearing with equivocation and mental reservation against *the plain and ordinary sense of the words of the oath.* In the given case of the oath proposed to be imposed upon the Roman Catholic Clergy by the Relief Bill, Monsignor J. B. Quarantotti appears to speak feelingly, as if it were not precisely and exclusively the case of his Majesty's subjects. The rescript, under an affected tenderness for the truth of the Catholic religion, deals out some exclusive generalities, viz. that « it is evidently by divine authority the special « duty of the ministers of the church every where « to propagate the Catholic faith (the only one that « can lead to eternal felicity), and to refute errone- « ous doctrines. This is taught by the precepts of « the Gospel, and by the example of the Apostles « and their successors.» These are, perhaps, the single lines in the whole instrument, to which, upon their isolated merits, a sound Roman Catholic might without hesitation subscribe. Our adversaries will not fail to urge, that, *qui versatur in generalibus, versatur dolosè. One point only,* says the rescriptor (or rescriptors), « *requires some explanation;* and that is, the second part of the oath, « by which the clergy is so restrained, as not to be « permitted to hold any correspondence with the « Sovereign Pontiff and his Ministers, which may « directly or indirectly subvert, or in any way dis- « turb the Protestant Government or Church.» And sad work truly have these rescript-doers made of their explanation, or *declaration*, as the litteral sense of the Latin runs*. An hypothesis is as-

* It will be observed, that in applying the words of the rescript, I have followed the authenticated translation of it, which appeared in the public papers, under the signature of

sumed, which neither in reason or fact applies to the part of the oath to be explained. The mere conversion of a Protestant to the Catholic faith never requires, and most rarely is the result of a correspondence with the Pope and his ministers; it may be always effected without it.

Take it not ill of me, Sir John, that I repeat to you a line or two of my former letter. I do it to convince you, that I am at issue with you upon principle; and that my principles do not vary. I there proposed to you a *review in substance* of our differences, and added*, « I relish this action « upon the substance: it is a manly function: it « does away all petty, low, disgraceful propensi« ties to drivelling, and nibbling, and quibbling « about *verbal inaccuracies of expression.*»— When then I am about to lay open to you one of the most conclusive objections to the instrument signed by Monsignor J. B. Quarantotti on the 16th of February, 1814, I owe it to that candor, with which I ever wish to treat my difference of opinion from your's, or that of any other person. I take not upon myself to blame the Vice-Prefect of the

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J. Hodgson, Vicar-General. I do not therefore altogether submit to the accuracy of that version. I before remarked, that in the most operative words of the decree, the English version left that merely *optional* (and therefore brought the decree to a mere nullity), which the Latin words rendered *imperative.* So here, the Latin words, *Clerus obstringitur nullam habere se posse cum summo Pontifice ejusque ministris communicationem*, are unwarrantably softened by the English words—the clergy is so restrained, as not to be permitted to hold any correspondence with the Sovereign Pontiff and his Ministers. The prohibitory injunction and sworn abstinence from such correspondence, appear to me more compulsory and austere from reading the Latin, than the English words.

* Historical Letter to Sir J. C. Hippisley, p. 37.

Propaganda, whether armed with pontifical powers or not, for maintaining the lawfulness of the oath said to have been contained in the Relief Bill. The most learned may differ upon certain formulas. Besides, I have not the whole context of the oath before me, and therefore I am not qualified to remark upon it. Very orthodox men may differ upon the relative and absolute import of the words and terms, in which an oath is expressed. My objection is, that the rescript formally dogmatizes, and practically systematizes a principle, upon which no two sound men can differ. It recognizes a power, which undertakes to justify the taking of an oath contrary to the plain and obvious sense of the words of it, according to the sense put upon it by others, than the juror. The rescript most explicitly points out a sense, in which the proposed oath cannot be taken by a Roman Catholic. *Understood in this sense, the oath cannot lawfully be taken, as being repugnant to the Catholic faith.* What does it direct in consequence? It imposes a duty upon the Bishop of Halia, the Vicar Apostolic of the London district, to solicit an alteration in the words of the oath. One does not very readily see through each link of the chain of this vast and exclusive duty imposed upon Bishop Poynter by Monsignor J. B. Quarantotti. Why not a word about the Archbishop of Dublin? Yet Monsignor J. B. Quarantotti assures us, that he had *examined the letters which had been transmitted to him* « both by your Lordship (i. e. Dr. Poynter,) and « the Archbishop of Dublin.» The fact is, that Dr. Troy had informed him, that the Irish Bishops one and all reprobated the proposed Relief Bill, and condemned the oath and ecclesiastical clauses contained in it. Well was he aware, that they would not lend their efforts to second his *ardent*

wishes, that this act (bill it should have been), *so much desired, might at length be passed.* The Vice-Prefect was solicited from a single quarter to spiritualize the views and objects of the English Catholic Board, and I must allow some credit to his delicacy for not offering to any other Roman Catholic Prelate the indignity, of imposing an injunction upon him to co-operate in establishing the system of swearing with mental reservation. You were told above two years back, that * *the English Catholics should for this once lead the way:* and also, « that the rejection by anticipation of all ar- « rangements respecting the Irish Hierarchy, was « a very improper resolution : it was not called « for : and as it disgusts our friends, and furnishes « arms to our enemies, it must be considered as an « unwise measure.» You, Sir John, could have been at no loss to trace the advice, under which this very special and wholly new commission was confided to the Bishop of Halia alone, had it not been for a countervailing (1) « decided resolution « of the English Catholics to accept of no boon, « which does not equally advance the Irish Catho- « lics in their view of Catholic Emancipation.» On behalf, however, of about six millions of his Majesty's Roman Catholic subjects, throughout the whole extent of the British Empire, the following extraordinary commission is imparted to the Bishop of Halia, with more air of authority, I allow, than of confidence. « To you therefore it belongs, with « all humility and earnestness, to supplicate the « High Court of Parliament, that in order to quiet « and secure the consciences of the Catholic

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* Vide Hist. Let. to Sir J. C. Hippisley, p. 84. Mr. Butler's Letter of Instruction to the Honorable Baronet.

(1) Ibid.

« Clergy, it will affix some modification or decla-
« ration to this clause in the oath, which removing
« every ambiguity, may leave them the liberty to
« preach and to persuade.» If the Legislature were to do its duty, by rendering the words of the oath explicitly conformable with the intention of administering and taking it, there could be nothing in it to wound the conscience of a *juror sinè dolo:* and then the commission to the Bishop of Halia would have no object to act upon. In contemplation however of the probable failure of this extraordinary commission, or the perseverance of the Legislature in the present form of the oath, which *ex concessis* may trouble and wound the juror's conscience, we are driven to consider what ulterior remedies Monsignor J. B. Quarantotti professes to apply to the evils complained of.

It is immaterial to consider what are the precise words of the clerical oath proposed in the Relief Bill; since the remedy is avowedly prescribed upon the palpable presumption, that they are of such a quality or tendency, as to trouble and wound the conscience of an orthodox Catholic: otherwise nothing could be required or even desired to be done, *in order to quiet and secure the consciences of the Catholic Clergy*, as is self evident. Then upon the professed presumption, that there is a sense, which the oath is susceptible of, which is *repugnant to the Catholic faith*, and that this is according to the plain and obvious words of the oath (if not to most, at least to some persons), the rescript commands the acquiescence of the clergy: *clerus acquiescat.*
« And it will be sufficient for them publicly to de-
« clare, that this, and this only is the sense, in
« which they have sworn to it, so that nothing in
« the oath be adverse to orthodox doctrine.» Of what avail can a verbal declaration be to explain

or do away the obvious meaning and purport of a written oath? But the rescript, it seems, favours Protestanism; as the solicitors, constructors, or procurers of it, once wished to assume the appellation of *Protesting Catholic Dissenters*. « And « that this *protest* may be generally known, and « be for an example to posterity, this construction « of it shall be publicly recorded.» In what sense, Sir John, can such an explanation or construction of an oath be termed a *protest*, unless it be a disclaimer or protestation, that the juror took it in a sense different from the obvious and plain sense of the words, in which it is expressed. The Vice-Prefect's mandate, that such *protest* shall for the benefit of posterity be publicly recorded in England, is too senseless an arrogation of civil power to be seriously spoken of. Equally piteous is the wish, « that a declaration should be made by some « of the Members of Parliament, that Government « requires the oath from the Catholic Clergy in « this sense, and in no other.» Who, Sir John, knows more experimentally than yourself, of what little avail is the speech of a Member of Parliament, *ad sedandas tutandasque conscientias?* And who are intended here by Government? In no sense can the King's Ministers efficiently make any declaration, that shall aid or soften the operation of such an oath. The imposers of it, are the King and two Houses of Parliament. They can only explain or modify their laws, by some new enactment. The regular and legal interpreters of the statutes, or any parts of them, are the Judges of the land. And how would they treat a Catholic Clergyman's verbal protest, against the ordinary force and common acceptation of the words of the oath, he had taken and subscribed? Would the recording of his *protest* under the order of Monsignor

Quarantotti help his case? In the late revolutionary struggles, French Republicans demanded civic oaths of their clergy, and the French Emperor demanded oaths of subserviency from them. The ministers of each were ever ready with empyric plaisters in their hands to declare, that nothing in the oath was *adverse to orthodox doctrine*. Did the Ministers' declarations justify their swearing? Surely if Monsignor J. B. Quarantotti be possessed of such a simple *nostrum*, such a powerful *panacea* for healing wounded consciences, as *acquiescat clerus, ac satis erit*, etc. why importune the Imperial Legislature to furnish remedies *ad sedandas tutandasque Catholici Cleri conscientias?* There can be neither delicacy nor difficulty in subscribing any oath, which is to receive its construction and force from other persons.

I am too sensible, Sir John, of having trespassed upon your, as well as the patience of some others: but having undertaken to give a portrait of you, I cannot submit it to be taken off from my labour, in the very critical moment of giving the last and most striking touch to the piece. It is remarkable in all the historical portraits of the great heroes of antiquity, that their predominant passion is always brought so prominently forward, as to subject their brightest actions to its influence and controul. Your's, Sir John, from your own avowal, is that of *consistency*. On the 11th day of May, 1813, you loudly proclaimed on the opening of your *Catholic* commission, to communicate your *Catholic* fears of the order of Jesuits to the House of Commons, that « * if there be any crime, of which I can « be justly accused in reference to the *great mea-* « *sure*, that crime is *consistency*.» And on the

* Hist. Let. to Sir J. C. Hippisley, p. 120.

subsequent 24th of the same month, arguing again *(in your own steady and plain dealing)* upon the *great measure*, you repeatedly enforced your former declaration, « I will defy any one to say I « am inconsistent, I will contend, that I am con« sistent. » I cannot then leave behind a cloud, or invisible in the back ground, this brilliant constellation, which irradiates your orbit, *velut inter ignes luna minores*. Your important speech of that day (and which of your speeches in Parliament is not important?) fixes the date of your conversion (and I presume of your consequent consistency,) to the space of six months before Mr. Butler congratulated you upon it, on the 29th of December, 1812. There was a time, Sir John, (perhaps before the maturity of your consistency) when every thing Roman pleased you. I will venture however to remind you of the Roman Poet's ideas of painting. The idolatrous Romans knew more of the art of poetry, and less of that of painting, than their Popish successors. * Some paintings cannot be too closely inspected: others are seen to advantage at a certain distance: some require a faint dusk, whilst others cannot be placed in too strong a light, so as to brave the keenest criticism. I am bold enough, Sir, to aspire to the last quality, which if this second portrait of you fail in, it must be laid to the account of my want of skill and talent, not of industry and inclination, to transmit a faithful resemblance of the great character I have undertaken to exhibit to the present and future ge-

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* Ut pictura poesis; erit, quæ si proprius stes,
Te capiat magis: et quædam, si longuis abstes.
Hæc amat obscurum; volet hæc sub luce videri,
Judicis argutum, quæ non formidat acumen.
Hor.—de Arte Poetica.

nerations. Your *consistency* has burst forth in vivid coruscation against the order of Jesuits, each time you addressed your brother senators on the *great measure*, in the year 1814. Never since then did you enter the arena, to treat them with a *Jesuit-baiting*, that I have not, by some mystical cause, been chained to the stake, as a necessary appendage to the sport of the day. You spoke rather more largely, than fairly of me, on the 17th of May, 1814; but on the 24th of that month, you found « it your duty to correct a mistatement « *connected with your motion*, which had found « place in several of the public prints: namely, « that Mr. Plowden (not Brown, as erroneously « stated), had in his History of Ireland broached « doctrines, which some of the papers had repre- « sented you to have said were Catholic doctrines, « whereas it was quite the reverse*.» Be this as it may, the duty of a Member of Parliament to correct a mistatement connected with his motion, presupposes the original statement to have been connected with it. As I had published my last History

* As I ever wish to throw all the light I can upon every subject I take in hand, I here remind the Honorable Baronet what I told him in the first Historical Letter (p. 29), that « Every Proprietor of a Paper (now an article of traffic,) en- « gages himself to support the principles, which characterise « or denominate some party, as it best suits his interest.»— How literally was this verified by the insertion of the following paragraph in the *Morning Chronicle*, about the time that Dr. Poynter was leaving London to go to Rome. « Letters from « Rome state, that the busy Dr. Milner has totally failed in his « representations to his Holiness the Pope against the letter of « Quarantotti. The Pope has signified his determination to « acquiesce in such measure, with respect to the *Veto*, as « shall be judged necessary by the English Government in the « nomination of Catholic Bishops: so that we trust, that this « important subject will be put to rest.»

of Ireland, nearly two years (i. e. in July 1811,) before you, Sir John, first opened your *Catholic* commission to denounce the Jesuits, on the 17th of May, 1813, and had published the slight tribute of gratitude to the body, from which I received my education, above 18 years before that time (i. e. in June, 1795), it appears singular, that I was not also connected with your speech and notice to the House on that day. You however having received my letter, which was published in Dublin in February 1814, without caring to utter a syllable about it, that could excite an interest, or a wish even of curiosity in others to see your portrait, took occasion of pressing upon the House, a batch of unfounded calumny, malicious insinuation, and false assertion concerning me. These specific refutations of these general charges will close my labour. I have stronger reasons for doing it, than those of self-defence.

In justice, Sir, to your *consistency*, and in order to prevent a repetition of the complaint you made in the House of Commons, on the 21st of November, 1814, « * that the minds of the people of Ireland « were kept in a state of the darkest ignorance, « and that I had drawn an unfair picture of the « character and objects of the order of the Jesuits, « etc. ;» and with a view to clear away some of that dark ignorance, by shewing the Irish what you actually were, when Mr. Butler congratulated you upon *your having made yourself one of us*, I shall with your leave repeat two sentences of my first letter to you. They will acquit me of any intention to keep the Irish in the *darkest state of ignorance*. « (1) I undertake not to examine or defend

* *Times* newspaper for 22d of November, 1814.
(1) Hist. Let. to Sir J. C. Hippisley, p.

« the cause of the Jesuits: but after your public announce of existing Catholic fears of them, « I am called upon as the Historian of Ireland, « upon which these fears are intended or expected « to act, to make some historical references, to the « number and quality of the enemies of their order, « out of which sprung the fears proclaimed in « Parliament. The fathers' observance of the rules « and institutes of their order, must necessarily « excite the enmity, hatred, and dread, not only of « the systematic opposers of Catholicity, but of all « secret and professed impugners of the jurisdictional supremacy of the Roman Pontiff, all deriders of revelation, all scoffers at religious « practices. Hence in common hatred to *Jesuitism*, the *Jansenist* joined the *Philosophist*, and « on that ground, like Pilate and Herod, they were « made friends together: for before they were at « enmity between themselves.» Did not your *consistency* rather recoil at the knowledge thus attempted to be infused into the Irish, than at the *dark state of ignorance*, in which you complain, they had been kept upon these matters?

There is, as you Sir John are well aware of from your professional habits, a species of deception practised upon the unsuspicious and the unwary, which frequently injures third persons, more than indictable attacks upon their person, property, or reputation. And our Courts, which give equitable relief in such cases, usually stamp every such insidious attempt with one or the other of these two badges; *suppressio veri*, or *suggestio falsi*. You will bear in mind, that I am not now maintaining the orthodoxy of my positions or doctrines, as you forced me to prove the Catholicity of my principles and opinions upon the construction of oaths: but I am enquiring how far you were fair, candid, and

warrantable in charging me with historical inaccuracy, on account of what I have said in my first letter to you upon the order of Jesuits. You have long laboured under a corroding passion for convicting me of historical infidelity and inaccuracy. Your letters to Lord Fingal, which appear to have been written in or about the month of December, 1812, in which Mr. Butler favored you with his instructive letter, and congratulated you upon your conversion, directly, though generally charges me with misleading * « the well-meaning and unsus-« pecting public of Ireland by the misrepresenta-« tions, which abound in the multiplied pages of « the Continuation of my History of Ireland, and « my Historical Letter to Columbanus.» To follow up your attack, you gave your auditors to understand, and of course all the readers of the reports of your speeches, that as the Historian of Ireland, I had swelled my ponderous volumes with numerous inaccuracies and falsehoods concerning the Jesuits. No other specific inaccuracy is even hinted at. Before I refute the specific charges, I must once more press upon you, this singular fact, that in the multiplied pages of my History of Ireland, or in my Historical Letter to Columbanus, there is not a single word even of oblique reference to the order of Jesuits, or of their tenets, or of their character, or of their objects, of which you specifically said on the 21st of last November, I had not drawn a fair picture. Even the French *Moniteur*, in favoring his countrymen with the substance of your speech on that day, clears me of the old imputation of chusing to put verbal inaccuracies of expression into your mouth from the loose report of some

* Hist. Let. to Sir J. C. Hippisley, p. 61.

newspaper. The *Moniteur* of the 29th of November, 1814, remarked, that your former mention of the order of Jesuits, « N'a fait qu'y exciter le rire ; « il veut dire la bulle pour le retablissement des « Jesuites. On s'est étrangement abusé sur ce point « en Irelande. Un homme, qu'on appeloit l'Historien de ce pays, mais qui est plus remarquable « pour le volume de ces productions, que pour « leurs fidélités, a dit que les Jesuites continuoient « à jouir de tous leurs privileges en Russie : « C'étoit à un prêtre Grec, que l'instruction religieuse etoit confiée, et qu'il est defendu aux Je- « suites de se mêler le moins du monde dans les « matières religieuses. » It is unquestionably clear, that every Frenchman reading this article in the *Moniteur*, from his Most Christian Majesty in person, down to the shoe-black on the Pont-Neuf, would obviously suppose, that *I, whom some have called the Historian of Ireland*, had in my history of that country, not only treated of the Jesuits' establishments in Russia, but that I had said something at variance, with your assertion of the Russian youth, who were brought up in the Jesuits' colleges, being under the spiritual direction of their own Greek Priests. Here is both *suppressio veri*, and *suggestio falsi*, with reference to this whole subject. « I can state (say you, according to the « *Times* newspaper), from my own authority, that « every college of Jesuits was provided with a « Member of the Greek Church. » What *your* authority for stating that fact may be, I am not curious to enquire. I find a transcendent ground for it, in the open, firm, and honorable orthodoxy of the fathers of the society, of whom I told you very correctly in my first letter, that the Court of St. Petersburgh never entertained either Protestant fears or Catholic fears : and I gave such latitude to

the word *Protestant*, as to let in every description of Christians, who protest against any part of the doctrine, and the entire submission to the spiritual supremacy of the Church of Rome. I explicitly said, « The Court of St. Petersburgh has unceasingly « persevered in countenancing, encouraging, and « supporting the society. At this moment the « rising generation of the Russian noblesse receive « education from the fathers of the society at the « capital, and in other principal towns of the Em- « pire. » The fathers of the society, who were ever renowned for teaching the Roman Catholic Religion in its utmost purity, must (even with your *consistency*, Sir John,) necessarily have told the Government, that if they chose their youth to be instructed in what the fathers were well known to consider the errors of the Greek Church, they must supply them with instructors of their own Church: for on no consideration could they lend themselves to the teaching and encouraging of any other doctrine, than that of the Church of Rome. In the summary sketch I gave of the establishment of the Jesuits in Russia, I entered not into this detail, which you have now forced from me. But to prove the fidelity and accuracy of my representation, I thus addressed you in that first letter; which, as you condescended to say so much upon the subject, it would have been candid to have disclosed to your auditors. « Imagine, not, Sir John, because Rus- « sia has no *Protestant* fears on that head, that it « is, because the Greek Church approximates « more, than the Protestant Church of England « does to the Roman Catholic Church. The Greek « Church of Russia is as fastidious of her indepen- « dent prerogative, of not owing obedience to the « See of Rome, as you are. She is as jealous upon « the head of Proselytism, as your Church. So

« devotedly is she wedded to her established doc-
« trine, that she never speaks of it but by way of
« eminence---*our orthodox faith.*»

Never was it, Sir John, in my contemplation to enter the lists with you, or any person, not being a true member of the Catholic Church, who had taken in the common and hackneyed prejudices against the Jesuits. Were better reasons wanting, the common and virulent hatred of all enemies of revealed religion to the fathers of the society, would be a powerful inducement to me, to look up to them, as a favored band of efficient workmen in the vineyard. Argument may do something against error; nothing against prejudice. One you may refute: the other you never can dislodge. I have passed the 65th year of my life, and can with truth aver, that often as I have heard the society decried, traduced, and calumniated, I never once witnessed even an attempt to bring home a crime, of which the body was accused, to a single individual. I am free to admit, that where charges are not notoriously palpable, general inculpation rather disposes me to acquit, than to criminate. But let not the state of our controversy or difference, our prepossessions, or prejudices concerning the Jesuits, be misunderstood. I controvert not your opinions; I combat not your prejudices: I canvass not your fears of them, whether Protestant or Catholic. But I stedfastly maintain, that I am correct in whatever I have said of them in my first letter to you. I stand forth openly and confidently in defence of my historical veracity, and that has been repeatedly assailed by you in open senate, on the score of what I have said (N. B. nothing have I said in my History of Ireland,) about the fathers of the society. In all I have said to you, Sir John, on different occasions, I am not conscious of having

once expressed my disapprobation of your differences from me in any matter of policy or religion. I chuse not to be pinned down to the opinions of any man: and always feel disposed to give to others the liberty I myself crave. In this disposition then, I pass over unnoticed, and with apathy and indifference, the fears you expressed on the 17th of May, 1814*, « of the consequences of the action of so « close a system (as that of the Jesuits,) on the « fanaticism of the Irish Roman Catholics; and « that though the present Pope were a man of ex« cellent moral character, yet he must be devoted « to his church, and it was possible, that under « particular advice, and looking to the Jesuits, as « the most potent instruments of Catholic influ« ence, he might be persuaded to grant his *fiat* for « the restoration of the order (1). And your assurances, « that the plans for the re-establishment « of that once formidable body were deeply laid, « and those best acquainted with Ireland, dreaded « the event: that all Christian countries, whether « Catholic or Protestant, must feel it their interest « to discountenance such institutions (according to « the bull of Pope Ganganelli, which ordered the « universal abolition of the Jesuits). That the Je« suits had always been found a powerful means « of influence, a formidable band of intriguers, « and he therefore would wish to protect his coun« try against the *fiat* of any Pope, for the resur« rection and re-organisation of such an order.» In a word, according to your favorite newspaper, the *Globe*, you drew the attention of the House to the papal constitution re-establishing the order of Jesuits in the plenitude of their original institute,

* *Courier* newspaper for 18th of May, 1814.
(1) *Star* newspaper for 18th of May, 1814.

« * particularly in consequence of the misrepresen-
« tations that had gone forth on the subject. Mr.
« F. Plowden, who valued himself on being con-
« sidered the Historian of Ireland, but whose his-
« toric pages were more known by their bulk than
« their accuracy, had written a very diffused eu-
« logy of the order, in which he had been edu-
« cated. It was in Russia, he exclaims, that this
« *plante si rare* flourishes in all its vigour, where
« it has its General, its professed, etc.» And as
« far, as I can understand the remainder of your
« speech, as there reported, it goes to charge me
with unfairly suppressing from the knowledge of
the public, the real circumstances attendant upon
the case, and also with « industriously propagating
« mistatements to mislead the lower and ill-in-
« formed class of the Catholics, especially in Ire-
« land, in reference to the Jesuits.»

By no means, Sir John, do I wish to filch or force from you, the smallest particle of Protestant freedom to dissent from the opinions of the Roman Catholic Church, and to refuse submission to the decrees of its supreme Pontiff. As *one of us*, indeed, you could not indulge that liberty quite so largely. But we will for the present pass over the new-born zeal and obligations of the convert. Although you have *been pleased to make yourself one of us* upwards of three years, I will not press upon you the sublime motives, which induced the Gallican Clergy to make their famous declaration concerning ecclesiastical power in the year 1682 :—
« Nor are there wanting some, who under color of
« them (i. e. of the decrees and liberties of the Gal-
« lican Church), do not fear to derogate from the
« primacy of blessed Peter and his successors the

* *Globe* newspaper for 22d November, 1814.

« Bishops of Rome, instituted by Christ, and from « the obedience due to them from all Christians, « and to fritter down the majesty to be revered by « all nations of the Apostolic See, in which the « faith is preached, and the unity of the church is « preserved. The heretics likewise omit nothing, « by which they may represent that power, in « which the peace of the Church is embraced, as « invidious and burthensome to kings and poten- « tates, and by those frauds they sever simple souls « from the communion of the mother church, and « consequently from that of Christ.» This I admit to be no authority against the Protestant Recorder and Representative of Sudbury, however graciously he has condescended to declare in open senate, that *the present Pope is a man of excellent moral character.* We, who fully submit to his jurisdictional supremacy in spirituals, consider him to be a man of God, of exemplary, tried, and heroic virtue, especially chosen to guide the unperishable bark of Peter in the present stormy season. Leaving you then, Sir John, in the unmolested enjoyment of all your Protestant contraventions to the judgment, feelings, and measures of your old friend and correspondent Pius VII., and of your indispensable submission to the destructive bull of Pope Ganganelli, and of your *counterfiats* against his present Holiness', or any future Sovereign Pontiff's resuscitating and reorganizing the order of Jesuits, I humbly hope you will not object to my application to the testimony of his Holiness, merely as a credible witness to the truth and accuracy of the principal statements I have made, which you have, vainly I hope, attempted to falsify by distortion and misrepresentation. A *man of excellent moral character*, will be admitted as a competent witness to matter of

fact. And you, Sir John, have informed the public in your letter to Lord Fingal* (by quotation from your correspondence with the late Warden of Galway), « that the wits of the *Curia Romana* « being always on the stretch, owing to the con- « stant and incessant recourses to Rome from all « quarters of the world, by these means, she gains « a superiority over all others in point of more « general information and instruction.» A man, therefore, of *excellent moral character*, having this vast mass of information at command, must unquestionably be a witness upon facts substantiated by such evidence *omni exceptione major*.

If I declared in 1796 of that society, from which I received my education, « *that I scarcely deem

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* Page 36.

(1) Had not the worthy Baronet, interlarded his speech with the momentous circumstance of my having been educated under the Jesuits, I should not have thought myself warranted in bringing it under the observation of the public. It must certainly carry with it something of more consequence in the eyes of others, than I can figure to my own imagination. It has been the common point of attack, with each of the honorable triumvirate, who I before noticed had given me battle without a mask in their own names. Sir Richard Musgrave thought it not beneath his dignity to upbraid me with having been brought up at St. Omers, where I certainly did spend the 11th and 12th years of my life; but have never since passed forty hours in that town. I answered that charge very fully in my Historical Letter to that Baronet, in 1805. The Rev. Dr. Charles O'Conor, Member of the Academy of Cortona, in his Columbanus No. V. under the title of *The defence* of his Grandfather against the *vile adulation of an avocato del diavolo*, dubbing me a new *Titus Oats*, asks—*Where I was educated?* This I answered in my reply to that Gentleman in 1813. And Sir J. C. Hippisley has not thought it unbecoming the gravity of debate on the *great measure*, to remind Parliament that I *had written a very diffused eulogy of the order, in which I had been educated*. Who so competent to speak to the nature of the education given by the

« it possible for the powers of man to devise a sys-
« tem more calculated to infuse solid learning and
« virtue into youth, than the plan, which they pur-
« sued with unremitted ardor and perseverance.»
Has not his Holiness by his constitution proved, that I was not wrong in my judgment? « The
« Jesuits were instructors most capable of forming
« youth to Christian piety and the fear of God,
« which is the begining of wisdom, and to instruct
« them in science and letters.» If you, Sir John,

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fathers of the society as those, who have been educated by them? Voltaire, about 17 years before he assumed his *Nom de Guerre Christmoque* (the Scoffer of Christ), and entered into the impious *confrairie pour écrasser l'infame* (for which see Hist. Let. to Sir J. C. Hippisley, p. 152), namely in February, 1746: thus wrote to Pere de la Tour. « As to
« the Dutch libel, which reproaches me with being attached
« to the Jesuits, I will not say it is guilty of slander: on the
« contrary, I confess it has asserted a truth. I was seven years
« under the tuition of men, who take indefatigable pains to
« cultivate the manners and minds of youth, without any
« other regard, than the consciousness of doing good; and
« am I to divest myself of gratitude to such masters? Nothing
« will ever root out of my heart the memory of Father Porée,
« who never had a pupil, that did not love and reverence him
« as a parent. No man ever rendered learning and virtue so
« amiable. The hours of instruction, when he was the Pre-
« ceptor, were always hours of delight. I had the happiness
« of being taught by more than one Jesuit, of the character of
« Father Porée, and I know that he has successors, that are
« worthy to succeed him. I had perpetually before me exam-
« ples of the utmost diligence, frugality, and order: men,
« whose whole time was divided between the superintendance
« of our morals and instruction, and the functions of their ri-
« gid profession: *and to this truth every individual of the*
« *thousands educated by them will bear witness.*» *Nemo repenté fit pessimus.* When that unfortunate man unfurled the flag of impiety, and declared open war against Christianity, no wonder at his efforts against that society, which he well knew to be its firmest bulwark.

have found it your duty to hold me forth in debate as stating inaccurately in 1813, that « the society « in Russia flourished in all its vigour, where it had « its General, its professed, etc. » Do not the words of his Holiness bear me out in the correctness of my statement? « By our brief of the 7th of « March, 1801, we granted to the said Francis « Karew and his Colleagues, residing in Russia, or « who should repair thither from other countries, « power to form themselves into a body or congre-« gation of the Company of Jesus; they are at li-« berty to unite in one or more houses to be point-« ed out by their superior, provided these houses « are situated within the Russian Empire. We « named the said Francis Karew, General of the « said Congregation, we authorised them to resume « and follow the rule of St. Ignatius of Loyola, « approved and confirmed by the constitutions of « Paul III. our predecessor etc. »

Without recapitulating what little I did say in my first Historical Letter, of which you have taken notice, that I had written a very diffused eulogy of the order, in which I had been educated, and that I had not drawn a fair picture of the character and objects of that order. I before told you*, that « St. Ignatius formed his society entirely for the « good of others: they were not to be cænobitic « recluses, merely to work their own way to Hea-« ven by contemplation and penance: but were to « be ever active in the vineyard to teach, preach, « and be devoted to every labour, that could be « availing to the sanctification of souls. » Surely the words of the bull, which specially authorise them in future to follow up the *character* and *objects* of their original vocation and institute, fully

* Hist. Let. to Sir J. C. Hippisley, p. 128.

prove, that my picture of them was fairly drawn. « We declare besides, and grant power, that they « may freely and lawfully apply to the education « of youth in the principles of the Catholic faith, « to form them to good morals, and to direct col- « leges and seminaries; we authorize them to hear « confessions, to preach the word of God, and to « administer the sacraments in the places of their « residence, with the consent and approbation of « the ordinary, etc. *» I before told yo , « (1) that « an observer of the conduct of the fathers (not la- « bo ing under your *Catholic* fears) will impar- « tially allow, that wherever war has been de- « cla ed against the altar and the throne, the Jesuits « have ever been the first in the breach, the foremost « to face, and the last to turn their backs upon dan- « ger.» And what upright juryman would not find the fact substantiated by the testimony of his Holiness. « We should deem ourselves guilty of a great « crime towards God if, amidst these dangers of « the Christian republic, we neglected the aids, « which the special providence of God has put at « our disposal; and, if placed in the bark of Peter, « tossed and assailed by continual storms, we « refused to employ the vigorous and experienced « rowers, who volunteer their services, in order to « break the waves of a sea, which threatens every « moment shipwreck and death. » In a word do not these few comprehensive and impressive words of his Holiness, *The Catholic world demands with unanimous voice the re-establishment of the*

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* N. B. I said p. 169 of the Russian Fathers, « instead of « going to Naples to receive orders, they received them from « Russian Roman Catholic Bishops: nor do the ordained re- « fuse to acknowledge the authority of their Diocesans.»

(1) Hist. Let. to Sir J. C. Hippisley, p. 142.

Jesuits, most triumphantly establish the fact of my accuracy in re-echoing the wishes of Catholic Ireland. « Give us more colleges of those « useful, those upright, disinterested, and expe- « rienced teachers and evangelists, » and justify the reiterated marks of astonishment, that any *Catholic* fears should subsist of the order of Jesuits. As you are well aware, Sir John, that all I have formerly said upon the establishment or rather preservation of the order of Jesuits for a time in Prusia, and permanently in Russia, was said with a view to shew, that the only two great governments in Europe, under which the society had existence and civil establishments, not being catholic, had no *protestant* fears of them. The words *plante si rare*, upon which you, Sir John, have played with a clumsy affectation of sarcasm, are the words of the Protestant King of Prussia, which he wrote to Voltaire before he had been vaccinated with Catholic fears on that head. * As they are probably familiar to most of your friends, who understand the French language, I will close this letter with an English version of them, for the benefit of those, who are not deeply versed in the philosophistical annals of that day. « Ganganelli leaves me my « dear Jesuits, whom they are persecuting every « where. I will preserve their precious seed, that « I may supply others with it, who may wish to « cultivate among themselves this scarce and va- « luable plant. I have preserved this order, whe- « ther right or wrong, heretic as I am, and what « is more an infidel. In our countries we find no « Catholic of learning, but among the Jesuits.

* Historical Letter to Sir J. C. Hippisley, p. 166, 167. where that manœuvre practised upon his Prussian Majesty is detailed.

« We had no one else capable of teaching schools.
« We must therefore either have preserved the Je-
» suits, or let all the schools break up, »

I have the honour to be,

with every due consideration,

Sir,

your devoted humble servant,

FRANCIS PLOWDEN.

Paris, February 1815.

APPENDIX.

N°. I.

Sanctissimi in Christo patris, et domini nostri domini Pii, divinâ providentiâ, Papæ septimi constitutio quâ Societas Jesu in statum pristinum in universo orbe catholico restituitur.

PIUS EPISCOPUS, SERVUS SERVORUM DEI, AD PERPETUAM REI MEMORIAM.

Sollicitudo omnium ecclesiarum humilitati nostræ meritis licet et viribus impari, Deo sic disponente concredita, nos cogit omnia illa subsidia adhibere, quæ in nostrâ sunt potestate, quæque à divinâ Providentiâ nobis misericorditer subministrantur, ut spiritualibus christiani orbis necessitatibus, quantum quidem diversæ, multiplicesque temporum, locorumque vicissitudines ferunt, nullo populorum et nationum habito discrimine, opportune subveniamus.

Hujus nostri pastoralis officii oneri satisfacere cupientes statim ac tunc in vivis agens Franciscus Kareu, et alii sæculares presbyteri à pluribus annis in amplissimo Russiaco imperio existentes et olim addicti Societati Jesu à felicis recordationis Clemente XIV. Prædecessore nostro suppressæ, preces nobis obtulerunt, quibus facultatem sibi fieri supplicabant, ut auctoritate nostrâ in unum corpus coalescerent, quo faciliùs juventuti fidei rudimentis erudiendæ, et bonis moribus imbuendæ ex proprii instituti ratione operam darent, munus prædicationis obirent, confessionibus excipiendis incumberent, et alia sacramenta administrarent: eorum precibus eo libentiùs annuendum nobis esse duximus, quod imperator Paulus primus tunc temporis regnans eosdem presbyteros impense nobis commendavisset humanissimis litteris suis die undecimâ augusti anni Domini millesimi octingentesimi ad nos datis, quibus singularem

suam erga ipsos benevolentiam significans, gratum sibi fore declarabat, si catholicorum imperii sui bono Societas Jesu auctoritate nostrâ ibidem constitueretur.

Quapropter nos attento animo perpendentes quam ingentes utilitates in amplissimas illas regiones, evangelicis operariis propemodum destitutas, essent proventuræ, quantumque incrementum ejusmodi ecclesiastici viri, quorum probati mores tantis laudum præconiis commendabantur, assiduo labore, intenso salutis animarum procurandæ studio, et indefessa verbi divini prædicatione catholicæ religioni essent allaturi, tanti tamque benefici principis votis obsecundare rationi consentaneum existimavimus, nostris itaque in formâ brevis litteris datis die septimâ martii anni Domini millesimi octingentesimi primi prædicto Francisco Kareu, aliisque ejus sodalibus in Russiaco imperio degentibus, aut qui aliunde illuc se conferre possent, facultatem concessimus, ut in unum corpus seu congregationem Societatis Jesu conjungi, unirique liberum ipsis esset, in unâ vel pluribus domibus arbitrio superioris, intra fines dumtaxat imperii Russiaci designandis; atque ejus congregationis præpositum generalem eumdem presbyterum Franciscum Kareu ad nostrum et sedis apostolicæ beneplacitum deputavimus cum facultatibus necessariis et opportunis, ut sancti Ignatii de Loyola regulam à felicis recordationis Paulo tertio prædecessore nostro apostolicis suis constitutionibus approbatam et confirmatam retinerent et sequerentur: atque ut hoc pacto socii in uno religioso cœtu congregati juventuti religioni, ac bonis artibus imbuendæ operam dare, seminaria, collegia regere, et probantibus ac consentientibus locorum ordinariis confessiones excipere, verbum Dei annunciare, et sacramenta administrare liberè possent; et congregationem Societati Jesu sub nostrâ et apostolicæ sedis immediatâ tutelâ et subjectione recepimus, et quæ ad illam firmandam et communiendam, atque ab abusibus et corruptelis, quæ forte irrepsissent, repurgandam visum fuisset in Domino expedire, nobis ac successoribus nostris præscribenda et sancienda reservavimus: atque ad hunc effectum constitutionibus apostolicis, statutis, consuetudinibus, privilegiis, et indultis quomodolibet in contrarium præmissorum concessis et confirmatis, præsertim litteris apostolicis memorati Clementis XIV, prædecessoris nostri incipientibus Dominus, ac redemptor noster expressè derogavimus in iis tantum quæ contraria essent dictis nostris in formâ brevis litteris, quarum initium Catholicæ et dumtaxat pro Russiaco imperio elargitis.

Consilia, quæ pro imperio Russiaco capienda decrevimus,

ad utriusque Siciliæ regnum non ita multo post extendenda censuimus ad preces charissimi in Christo filii nostri Ferdinandi regis, qui à nobis postulavit ut Societas Jesu eo modo quo in præfato imperio stabilita à nobis fuerat, in suâ quoque ditione ac statibus stabiliretur; quoniam luctuosissimis illis temporibus ad juvenes christianâ pietate ac timore Domini, qui est initium sapientiæ, informandos, doctrinâque, et scientiis instruendos præcipuè in collegiis, scholisque publicis clericorum regularium Societatis Jesu opera uti in primis opportunum sibi arbitrabatur. Nos ex muneris nostri pastoralis debito piis tam illustris principis desideriis, quæ ad majorem Dei gloriam, animarumque salutem unice spectabant, morem gerere exoptantes, nostras litteras pro russiaco imperio datas ad utriusque Siciliæ regnum extendimus novis in simili formâ brevis litteris incipientibus *Per alias*, expeditis die trigesimâ julii anni Domini millesimi octingentesimi quarti.

Pro ejusdem Societatis Jesu restitutione unanimi ferè totius christiani orbis consensu instantes, urgentesque petitiones à venerabilibus fratribus archiepiscopis et episcopis, atque ab omnium insignium personarum ordine et cœtu quotidiè ad nos deferuntur : prœsertim postquam fama ubique vulgata est uberrimorum fructuum, quos hæc Societas in memoratis regionibus protulerat, quæque prolis in dies crescentis fœcunda, Dominicum agrum latissimè ornatura et dilatatura putabatur.

Dispersio ipsa lapidum sanctuarii ob recentes calamitates et vicissitudines, quas deflere potiùs juvat, quam in memoriam revocare, fatiscens disciplina regularium ordinum (religionis et ecclesiæ catholicæ splendor, et columen) quibus nunc reparandis cogitationes curæque nostræ diriguntur, efflagitant, ut tam æquis et communibus votis assensum nostrum præbeamus. Gravissimi enim criminis in conspectu Dei reos nos esse crederemus, si in tantis reipublicæ necessitatibus ea salutaria auxilia adhibere negligeremus, quæ singulari Providentiâ Deus nobis suppeditat, et si nos in Petri naviculâ assiduis turbinibus agitatâ et concussâ collocati, expertes et validos, qui sese nobis offerunt, remiges ad frangendos pelagi naufragium et exitium quovis momento minitantis fluctus respueremus.

Tot ac tantis rationum momentis, tamque gravibus causis animum nostrum moventibus id exequi tandem statuimus, quod in ipso pontificatûs nostri exordio vehementer optabamus. Postquam igitur divinum auxilium ferventibus precibus imploravimus, suffragiis et consiliis plurium venerabilium fratrum nostrorum sanctæ romanæ ecclesiæ cardinalium auditis, ex certâ scientiâ, deque apostolicæ potestatis plenitudine ordinare

et statuere decrevimus, uti reverà hàc nostrâ perpetuò valiturâ constitutione ordinamus et statuimus, ut omnes concessiones et facultates à nobis pro Russiaco imperio et utriusque Siciliæ regno unice datæ, nunc extensæ intelligantur et pro extensis habeantur, sicut verè eas extendimus ad totum nostrum statum ecclesiasticum, æquè ac ad omnes alios status et ditiones.

Quare concedimus et indulgemus dilecto filio presbytero Thaddæo Borzozowski, moderno præposito generali Societatis Jesu, aliisque ab eo legitimè deputatis, omnes necessarias et opportunas facultates ad nostrum et sedis apostolicæ beneplacitum, ut in cunctis præfatis statibus, et ditionibus omnes illos qui in regularem ordinem Societatis Jesu admitti et cooptari petent, admittere et cooptare liberè ac licitè valeant; qui in unâ vel pluribus domibus, in uno vel pluribus collegiis, in unâ vel pluribus provinciis sub præpositi generalis prò tempore existentis obedientia conjuncti, et, prout res feret, distributi, ad prescriptum regulæ sancti Ignatii de Loyola, apostolicis Pauli tertii constitutionibus approbatæ et confirmatæ suam accomodent vivendi rationem: concedimus etiam, et declaramus quod pariter juventuti catholicæ religionis rudimentis erudiendæ ac probis moribus instituendæ operam dare, nec non seminaria et collegia regere, et consentientibus atque adprobantibus ordinariis locorum in quibus eos degere contigerit, confessiones audire, verbum Dei prædicare, et sacramenta administrare liberè et licitè valeant: omnia verò collegia, domus, provincias, sociosque sic conjunctos, et quos in posterum conjungi et aggregari contigerit, jam nunc sub immediatâ nostrâ et hujus apostolicæ sedis tutelâ, præsidio, et obedientiâ recipimus; nobis et romanis Pontificibus successoribus nostris reservantes ea statuere ac præscribere, quæ ad eamdem Societatem magis magisque constabiliendam et communiendam, et ab abusibus, si fortè (quod Deus avertat) irrepserint, repurgandam, statuere ac præscribere visum fuerit expedire.

Omnes vero et singulos superiores, præpositos, rectores, et alumnos qualescumque hujus restitutæ Societatis quantùm in Domino possumus commonefacimus, et exhortamur, ut in omni loco ac tempore sese fideles asseclas et imitatores tanti sui parentis et institutoris exhibeant, regulam ab ipso conditam et præscriptam accuratè observent, et utilia monita ac consilia quæ filiis suis tradidit summo studio exequi conentur.

Denique dilectis in Christo filiis, illustribus et nobilibus viris, principibus, ac Dominis temporalibus, nec non venerabilibus fratribus archiepiscopis et episcopis, aliisque in quâvis dignitate constitutis sæpedictam Societatem Jesu, et singulos illius socios

plurimùm in Domino commendamus, eosque exhortamur, ac rogamus non solùm ne eos inquietari à quocumque permittant, ac patiantur, sed ut benignè illos, ut decet, et cum charitate suscipiant.

Decernentes præsentes litteras, et in eis contenta quæcumque semper ac perpetuo firma, valida, et efficacia existere, et fore, suosque plenarios, et intregos effectus sortiri et obtinere, et ab illis, ad quos spectat, et pro tempore quandocumquè spectabit inviolabiliter observari debere; sicque, et non aliter per quoscumque judices quâvis potestate fungentes judicari et definiri pariter debere; ac irritum, et inane si secus super his à quoquam quâvis auctoritate scienter vel ignoranter contigerit attentari.

Non obstantibus constitutionibus et ordinationibus apostolicis, ac præsertim supra memoratis litteris in formâ brevis felicis recordationis Clementis decimiquarti incipient. *Dominus ac Redemptor noster*, sub annulo piscatoris expeditis die vigesimâ-primâ julii anni Domini millesimi septingentesimi septuagesimi tertii, quibus ad præmissorum effectum expressè ac speciatim intendimus derogare, cæterisque contrariis quibuscumque.

Volumus autem, ut earumdem præsentium litterarum transumptis, sive exemplis, etiam impressis, manu alicujus notarii publici subscriptis, et sigillo personæ in ecclesiasticâ dignitate constitutæ munitis eadem prorsus fides in judicio et extra adhibeatur, quæ ipsis præsentibus adhiberetur, si forent exhibitæ vel ostensæ.

Nulli ergo omnino hominum liceat hanc paginam nostræ ordinationis, statuti, extentionis, concessionis, indulti, declarationis, facultatis, receptionis, reservationis, monitis, exhortationis, decreti, et derogationis infringere, vel ei ausu temerario contraire; si quis autem hoc attentare præsumpserit, indignationem omnipotentis Dei ac beatorum Petri et Pauli apostolorum ejus se noverit incursurum.

Datum Romæ apud Sanctam-Mariam-Majorem anno incarnationis Dominicæ millesimo octingentesimo quartodecimo, septimo idûs augusti, pontificatûs nostri anno quintodecimo.

A. card. pro-datarius. R. card. BRASCHI HONESTI.

VISA

De curia D. TESTA.

Loco plumbi.

F. LAVIZZARIUS.

Registrata in secretariâ brevium.

APPENDIX.

N°. I.

The Constitution of our most Holy Father Pope Pius VII. by Divine Providence Sovereign Pontiff, by which the Society of Jesus is re-established in its ancient state throughout the entire Catholic world.

PIUS BISHOP SERVANT OF THE SERVANTS OF GOD FOR PERPETUATING THE TESTIMONY HEREOF.

The care of all the churches confided to our humility by the Divine will, notwithstanding the lowness of our deserts and abilities, makes it our duty to employ all the aids in our power, and which are furnished to us by the mercy of Divine Providence, in order that we may be able, as far as the changes of times and places will allow, to relieve the spiritual wants of the Catholic world, without any distinction of people and nations.

Wishing to fulfil this duty of our Apostolic Ministry, as soon as Francis Kareu (then living) and other secular Priests resident for many years in the vast empire of Russia, and who had been members of the Company of Jesus, suppressed by Clement XIV. of happy memory, had supplicated our permission to unite in a body, for the purpose of being able to apply themselves more easily, in conformity with their Institution, to the instruction of youth in religion and good morals, to devote themselves to preaching, to confession, and the administration of the other sacraments, we felt it our duty more willingly to comply with their prayer, inasmuch as the then reigning Emperor Paul I. had recommended the said Priests in his gracious dispatch, dated the 11th of August, 1800, in which, after setting forth his special regard for them, he declared to us that it would be agreeable to him, to see the Company of Jesus established in his empire, under our autho-

rity: and we, on our side, considering attentively the great advantages, which these vast regions might thence derive: considering how useful those ecclesiastics, whose morals and doctrine were equally tried, would be to the Catholic religion, thought fit to second the wish of so great and beneficent a Prince.

In consequence, by our Brief, dated the 7th of March, 1801, we granted to the said Francis Kareu, and his Colleagues residing in Russia, or who should repair thither from other countries, power to form themselves into a body or congregation of the Company of Jesus: they are at liberty to unite in one or more houses to be pointed out by their Superior, provided these houses are situated within the Russian Empire. We named the said Francis Kareu general of the said congregation; we authorised them to resume and follow the rule of St. Ignatius of Loyola, approved and confirmed by the constitutions of Paul III. our predecessor, of happy memory, in order that the companions, in a religious union, might freely engage in the instruction of youth in religion and good letters, direct seminaries and colleges, and with the consent of the Ordinary, confess, preach the word of God and administer the sacraments.—By the same Brief we received the congregation of the Company of Jesus under our immediate protection and dependence, reserving to ourselves and our successors the prescription of every thing that might appear to us proper to consolidate, to defend it, and to purge it from the abuses and corruption, that might be therein introduced; and for this purpose we expressly abrogated such apostolical constitutions, statutes, privileges, and indulgencies granted in contradiction to these concessions, especially the apostolic letters of Clement XIV, our predecessor, which begin with the words *Dominus ac Redemptor noster*, only in so far as they are contrary to our Brief, beginning *Catholicæ*, and which was given only for the Russian empire.

A short time after we had ordained the restoration of the order of Jesuits in Russia, we thought it our duty to grant the same favour to the kingdom of Sicily, on the warm request of our dear son in Jesus Christ, King Ferdinand, who begged that the Company of Jesus might be re-established in his dominions and states as it was in Russia, from a conviction that, in these deplorable times, the Jesuits were instructors most capable of forming youth to Christian piety and the fear of God, which is the beginning of wisdom, and to instruct them in science and letters. The duty of our pastoral charge leading us to second the pious wishes of these illustrious Mo-

narchs, and having only in view the glory of God and the salvation of souls, we, by our Brief, beginning *Per alias*, and dated the 30th of July, 1804, extended to the kindom of the Two Sicilies the same concessions, which we had made for the Russian empire.

The Catholic world demands with unanimous voice the re-establishment of the Company of Jesus. We daily receive to this effect the most pressing petitions from our venerable brethren, the Archbishops and Bishops, and the most distinguished persons, especially since the abundant fruits, which this Company has produced in the above countries have been generally known. The dispersion even of the stones of the sanctuary in those recent calamities (which it is better now to deplore than to repeat); the annihilation of the discipline of the regular orders, (the glory and support of religion and the Catholic church, to the restoration of which all our thoughts and cares are at present directed), require that we should accede to a wish so just and general.

We should deem ourselves guilty of a great crime towards God, if amidst these dangers of the Christian republic, we neglected the aids, which the special providence of God has put at our disposal; and if, placed in the bark of Peter, tossed and assailed by continual storms, we refused to employ the vigorous and experienced rowers, who volunteer their services, in order to break the waves of a sea, which threatens every moment shipwreck and death. Decided by motives so numerous and powerful, we have resolved to do now what we could have wished to have done at the commencement of our Pontificate. After having by fervent prayers implored the Divine assistance, after having taken the advice and counsel of a great number of our venerable brothers the Cardinals of the Holy Roman church, we have decreed, with full knowledge, in virtue of the plenitude of Apostolic power, and with perpetual validity, that all the concessions and powers granted by us solely to the Russian empire and the kingdom of the Two Sicilies, shall henceforth extend to all our Ecclesiastical States, and also to all other States. We therefore concede and grant to our well-beloved son, Taddeo Barzozowski, at this time General of the Company of Jesus, and to the other Members of that Company lawfully delegated by him, all suitable and necessary powers, in order that the said States may freely and lawfully receive all those, who shall wish to be admitted into the regular order of the Company of Jesus, who, under the authority of the general *ad interim*, shall be admitted and distributed, accord-

ing to opportunity, in one or more houses, one or more colleges, and one or more provinces, where they shall conform their mode of life to the rules prescribed by St. Ignatius of Loyola, approved and confirmed by the constitutions of Paul III. We declare besides, and grant power, that they may freely and lawfully apply to the education of youth in the principles of the Catholic faith, to form them to good morals, and to direct colleges and seminaries; we authorise them to hear confessions, to preach the word of God, and to administer the sacraments in the places of their residence, with the consent and approbation of the Ordinary. We take under our tutelage, under our immediate obedience, and that of the Holy See, all the colleges, houses, provinces, and members of this Order, and all those who shall join it; always reserving to ourselves and the Roman Pontiffs our successors, to prescribe and direct all that we may deem it our duty to prescribe and direct, to consolidate the said Company more and more, to render it stronger, and to purge it of abuses, should they ever creep in, which God avert. It now remains for us to exhort with all our heart, and in the name of the Lord, all Superiors, Provincials, Rectors, Companions, and Pupils of this re-established Society, to shew themselves at all times and in all places, faithful imitators of their father; that they exactly observe the rule prescribed by their great founder; that they obey with an always increasing zeal the useful advices and alutary counsels, which he has left to his children.

In fine, we recommend strongly, in the Lord, the Company and all its members to our dear sons in Jesus Christ, the illustrious and noble Princes and Lords temporal, as well as to our venerable brothers the Archbishops and Bishops, and to all those, who are placed in authority; we exhort, we conjure them not only not to suffer, that these religious be in any way molested, but to watch, that they be treated with all due kindness and charity.

We ordain, that the present letters be inviolably observed according to their form and tenour, in all time coming; that they enjoy their full and entire effet; that they shall never be submitted to the judgment or revision of any Judge, with whatever power he may be clothed; declaring null and of no effect any encroachment on the present regulations, either knowingly or from ignorance; and this notwithstanding any apostolical constitutions and ordinances, especially the Brief of Clement XIV, of happy memory, beginning with the words *Dominus ac Redemptor noster*, issued under the seal

of the Fisherman, on the 22d of July, 1773, which we expressly abrogate, as far as contrary to the present order.

It is also our will, that the same credit be paid to copies, whether in manuscript or printed, of our present Brief, as to the original itself, provided they have the signature of some notary public, and the seal of some ecclesiastical dignitary; that no one be permitted to infringe, or by an audacious temerity to oppose, any part of this ordinance; and that should any one take upon him to attempt it, let him know, that he will thereby incur the indignation of Almighty God, and of the holy Apostles Peter and Paul.

Given at Rome, at Sancta Maria Major, on the 7th of August, in the year of our Lord, 1814, and the 15th of our Pontificate.

(Signed) Cardinal PRODATAIRE.

Cardinal BRASCHI.

APPENDIX.

Nº. II.

Ill.mae, ac R.mae D.nae

Non sine maximâ voluptate accepimus facile esse futurum ut lex, quæ superiore anno rogata fuit pro Catholicorum istius florentissimi regni emancipatione à pœnalibus legibus, quæque ex modico suffragiorum defectu rejecta fuit, in novis hujus anni comitiis iterùm proponatur. Utinam hœc tam optata lex aliquando feratur, et Catholici, qui præclara semper præbuerunt obedientiæ, ac fidelitatis suæ argumenta, à gravissimo, quo jamdiù premuntur, jugo tandem emergant; ut absque ullo honorum ac facultatum detrimento ad ea possint alacrius incumbere, quæ et Religio, et patriæ bonum ab iis expostulat: quod quidem sperare juvat à beneficentissimo Rege, atque ab inclytâ natione, quæ æquitate, prudentiâ, cæterisque virtutibus, tum anteactis, tum maxime postremis hisce temporibus tantam sibi apud omnes populos gloriam comparavit. Et quoniam delatum est, aliquas inter Episcopos obortas esse quæstiones, atque discrimina circa conditiones, quæ Catholicis appositæ sunt, ut cæteris equiparentur; Nos, qui summo absente Pastore sacris Missionibus præfecti sumus, et Pontificiis omnibus facultatibus ad id communiti, muneris nostri partes esse putavimus omnem ambiguitatem, atque obicem removere, qui optatæ conciliationi possit obsistere, et quo non pervenit Episcoporum facultas, S. Sedis auctoritate, et consensione supplere. Habito igitur doctissimorum Præsulum, ac Theologorum consilio, perspectis litteris, tum ab Ampl^e. Tuâ, tum ab Archiepiscopo Dublinensi huc missis, ac re in peculiari Congregatione maturè perpensa, decretum est, ut Catholici legem, quæ superiore anno rogata fuit pro illorum emancipatione juxta formam, quæ ab Ampl^e. Tuâ relata est, æquo, gratoque animo excipiant, et amplectantur. Unum est, quod aliquâ declaratione eget, scilicet secunda jurisjurandi pars, quâ Clerus obstringitur nullam habere se posse cum Summo Pontifice, ejusque Ministris communicationem, quæ directè, vel indirectè valeat Protestantium

regimen, sive Ecclesiam subvertere, aut quomodolibet perturbare. Satis exploratum est, id jure divino præcipuum esse Ministrorum Ecclesiæ munus, ut Catholicam fidem, quæ una potest ad æternam felicitatem perducere, undique propagare curent, erroresque depellere. Hoc Evangelii præcepta, docent, hoc Apostolorum, eorumque Successorum exempla. Jam si Catholicus Protestantem aliquem ad Orthodoxam Religionem revocaverit, perjurii reus poterit judicari, quia nempe illo avocando Protestantem Ecclesiam aliquo modo turbasse videretur. Si res ita intelligatur, juramentum hoc præstare non licet, utpote quod catholico dogmati reluctatur. Sin ea sit Legislatorum mens, ut Catholicæ Ecclesiæ ministris non interdicta sit prædicatio, suasio, consilium, sed tantum ne liceat ipsis Protestantem Ecclesiam, seu regimen vi, et armis, aut malis quibusque artibus perturbare, hoc rectum est, nostrisque principiis apprimè cohæret. Tuum itaque erit excelsum istud regimen omni animi demissione, ac studio deprecari, ut ad sedandas, tutandasque Catholici Cleri conscientias modificationem, aut declarationem aliquam ejusmodi juramenti formulæ dare velit, quæ, omni ambiguitate sublata, pacificæ prædicationi, ac persuasioni locum relinquat. Quod si vel lata jam fuerit rogata lex iisdem verbis, vel nihil in iis immutari voluerit, Clerus acquiescat; ac satis erit, ut palam ipse denunciet, eam esse suam jurandi mentem, ut Orthodoxa in ejusmodi juramento doctrina salva remaneat, ac non aliter; atque ut protestatio ista omnibus innotescat, et sit etiam posteris exemplo, in acta relata servabitur. Optandum quoque foret, ut ab aliquibus etiam publici concilii membris, si fieri posset, declaratio fieret, hoc plane sensu, ac non alio, Britannicum regimen à Catholico Clero juramentum exigere. Cætera verò, quæ in propositâ lege contineri scripsisti, ea quidem poterunt ex Apostolicæ sedis indulgentiâ tollerari.

Quod rex certior fieri velit de illorum fidelitate, qui Episcopatum, vel Decanatum promoventur, ac tutus esse, num iis dotibus instructi sint, quæ bonum civem decent; quod ipse præterea ad hæc investiganda Comitatum instituat, qui in eorum mores inquirat, ac referat regi, prout Ampl. Tua nobis significavit: quod demùm eâ ipsâ de causâ rex ab his dignitatibus exclusos in posterum velit tum alienigenas, tum eos qui à quinquennio domicilium in regno non habuerunt; hæc omnia cum id tantum respiciant, quod civile est, omnem mereri tolerantiam possunt. Præstat quidem ut nostri Antistites grati acceptique sint regi, ut plenâ illius consensione suum ministerium exerceant, ut denique de illorum probitate

constet etiam apud eos qui de Ecclesiæ gremio non sunt; Episcopum enim (ut docet Apostolus I ad Timoth. 3. 7) oportet, et testimonium habere bonum ab iis qui foris sunt. Hæc cum ita sint, ex traditâ nobis auctoritate indulgemus, ut qui ad Episcopatum, vel Decanatum designati, ac propositi sunt à Clero, admitti vel rejici à rege possint juxta rogatam legem. Postquam igitur Clerus illos de more delegerit, quos ad occupandas hujusmodi dignitates digniores in D^no. judicaverit, Metropolita provinciæ in Hiberniâ, Vicarius verò Apostolicus Senior in Angliâ et Scotiâ, illos Comitatui denunciabunt, ut regia inde approbatio sive dissensio habeatur. Si candidati rejecti fuerint, alii proponentur, qui regi placeant; si verò probati, Metropolitanus, aut Vicarius Apostolicus, ut supra, acta mittet ad sacram hanc Congregationem, quæ singulorum meritis ritè perpensis, Canonicam à Summo Pontifice institutionem obtinendam curabit. Illud quoque video commissum esse eidem Comitatui munus, ut nempe litteras examinare debeat, quæ alicui ex Clero Britannico ab Ecclesiasticâ potestate scribuntur, ac diligenter inquirere, an aliquid illæ contineant, quod Gubernio officere, aut publicam tranquillitatem perturturbare aliquo modo possit. Cum in Ecclesiasticis, ac spiritualibus rebus non interdicta sit cum Capite Ecclesiæ communicatio, sed Comitatûs inspectio ad politicum tantùm referatur, erit etiam in hoc acquiescendum. Bonum est ut regimen istud nullam plane concipere possit de nostrâ communicatione suspicionem. Cunctis patere possunt ea quæ scribimus; non enim nos ullo pacto miscemus in iis quæ civilia sunt, sed ea tantum inquirimus, quæ Divina et Ecclesiastica lex, ac bonus Ecclesiæ ordo postulare videntur. Ea tantùm secreto servanda erint, quæ internum conscientiæ forum officiunt; at in iis satis cautum fuisse video per regulas ab eâdem lege traditas; ac satis nobis persuasum est, sapiens istud regimen, dum publicæ securitati consulere vult, nunquam proindè exigere velle, ut Catholici religioni desint suæ; imo potiùs gratum habere, ut illam sedulo observent; hæc enim sancta, et planè divina Religio publicæ potestati favet, solia firmat, subditosque facit obtemperantes, fideles, studiososque patriæ. Nihil propterea potest Apostolicæ sedi gratiùs ac jucundiùs accidere, quam ut inter gubernium istud, et Catholicos illi subjectos, plena concordia, mutuaque fiducia servetur; ut rei publicæ moderatores de Catholicorum fidelitate, obedientiâ, atque adhæsione dubitare numquam possint; ut denique Catholici ipsi omni planè studio, candore alacritate, patriæ deserviant. Quapropter omnes in Domino hortamur, præsertim

verò Episcopos, ut omni contentione sepositâ, ad cæterorum edificationem, omnes unanimiter idipsum sapiant, ac sentiant, ut nullus detur schismati locus, nec ullum rei Catholicæ damnum inferatur; verùm si lata fuerit lex, quâ Catholici à pœnis, quibus obstricti sunt, liberentur, eam non modo æquo animo amplectantur juxta ea quæ dicta sunt, sed etiam Majestati suæ, et magnificentissimo ejus Concilio maximas agant pro tanto beneficio gratias eoque se dignos exhibeant. Denique Ampl^tem^. Tuam rogamus, ut cunctis istius regni Episcopis Vicariisque Apostolicis epistolam hanc communicari curet; ac fore sperantes, ut his, quæ ex tributâ nobis potestate decreta sunt, promptè, plenèque se conforment. Deum O. M. precor, ut Amplit^em^. Tuam diutissimè sospitet, atque interim omni cum observantiâ me tibi obstrictum profiteor.

Obsequentissimus Famulus,

J. B. QUARANTOTTI, Vice Præf^us^.

MICHAEL ADEODATUS GALEASSI, Subst^us^.

Datum Romæ, ex Ædibus de Propagandâ Fide, 16 Februari, 1815.

Illmo. ac R^mo^ D^mo^ GUILLELMO POYNTER, Epis^o^. Haliensi, Vicario Londini Apostolico, Londinum.

APPENDIX.

N°. II.

Copy of a Letter from Monsg$^{r.}$ Quarantotti *to the Right Reverend Dr.* Poynter, *V. A.*

Most Illustrious and Right Reverend Lord,

With great pleasure we have learned, that a Bill, for the Emancipation of the Catholics of your flourishing kingdom from Penal Laws, which was proposed in the last year, and lost by a small minority, may probably be again presented in this session of Parliament. It is our ardent wish, that this Act, so much desired, may at length be passed; and that the Catholics, who have ever given such distinguished proofs of their obedience and fidelity, may at length be delivered from the heavy yoke, by which they have so long been oppressed; and that, without detriment to their honours or estates, they may give full scope to those exertions, which both religion and the good of their country require of them: and this may be surely expected from your most beneficent Sovereign, and from that illustrious nation, which on former occasions, and especially in these latter times, has acquired so much glory in the estimation of the whole world for its equity, prudence, and other virtues. And, since it has been represented, that, among the Bishops, certain questions and differences have arisen, relative to the conditins, on which the Catholics are to be placed on an equality with their fellow-subjects—We, who, in the absence of the supreme Pastor, are placed over the concerns of the sacred missions, and for that purpose, are invested with

full pontifical powers, have thought it incumbent on us to remove every ambiguity and obstacle, which might impede so desirable a conciliation;—and, by the authority and consent of the Holy See, to supply such faculties as do not come within the ordinary limits of episcopal jurisdiction. Having, therefore, taken the advice of the most learned Prelates and Divines—having examined the letters which have been transmitted to us both by your Lordship and the Archbishop of Dublin, and the matter having been maturely discussed in a special congregation, it is decreed, that the Catholics may, with satisfaction and gratitude, accept and embrace the Bill, which was last year presented for their Emancipation, in the form in which your Lordship has laid it before us. One point only requires some explanation— and that is, the second part of the Oath, by which the Clergy is so restrained, as not to be permitted to hold any correspondence with the Sovereign Pontiff and his Ministers, which may, directly or indirectly, subvert, or in any way disturb, the Protestant Government or Church. It is evidently by divine authority the special duty of the Ministers of the Church every where to propagate the Catholic faith, (the only faith which can lead to eternal felicity) and to refute erroneous doctrines. This is taught by the precepts of the Gospel, and by the example of the Apostles and their successors. Now, should a Catholic convert any Protestant to the orthodox religion, he might be deemed guilty of perjury, as, by such conversion, he might seem, in some sort, to disturb the Protestant Church. Understood in this sense, the Oath cannot lawfully be taken, as being repugnant to the Catholic faith. If, on the other hand, this be the meaning of the Legislators—that the Ministers of the Catholic Church are not forbidden to preach, instruct, and give counsel; but are only prohibited from disturbing the Protestant Church or Government, by violence and arms, or evil artifices of whatever kind —this is just, and entirely consonant to our principles.

To you, therefore, it belongs, with all humility and earnestness, to supplicate the High Court of Parliament, that, in order to quiet and secure the consciences of the Catholic Clergy, it will affix some modification or declaration to this clause in the Oath, which, removing every ambiguity, may leave them the liberty peacefully to preach and to persuade. In case the Bill be already passed, containing the same words, or that nothing in it is allowed to be altered, let the Clergy acquiesce; and, it will be sufficient for them publicly to declare, that this, and this only, is the sense, in which they have sworn to it, so that

nothing in the Oath may be adverse to orthodox doctrine; and, that this Protest may be generally known, and be for an example to posterity, this construction of it shall be publicly recorded. It were to be wished, likewise, if it can be obtained, that a declaration should be made by some of the members of Parliament, that Government requires the Oath from the Catholic Clergy in this sense, and in no other. Other clauses, which you mention as contained in the same Bill, may be submitted to by the indulgence of the Apostolic See.

That the King should desire to be certified of the loyalty of such as are promoted to a Bishoprick or Deanery, and should be assured that they are endowed with such qualities as become a good subject—that to investigate these particulars, he should likewise appoint a Committee to inquire into their moral conduct, and make a report to His Majesty, as your Lordship has given us to understand is the case: that, for the very same reason, the King should require that foreigners, and those, likewise, who have not resided five years in the kingdom, should be excluded from such dignities—all this, as it regards only what is within the competence of civil authority, may be deserving of every toleration. It is highly proper, that our Prelates should be agreeable and acceptable to the King; that they should exercise their ministry with his full consent; in fine, that their probity should be evident even to those, who are not in the bosom of the church. For a Bishop, (as the Apostle teaches, 1st Epistle to Timothy, iii. 7.) *must have a good testimony from them, who are without.* On these accounts, by the authority vested in us we allow, that those who are designed for a Bishoprick or Deanery, and are proposed by the clergy, be admitted or rejected by the King, according to the proposed Bill. Therefore, after the clergy have, in the usual manner, chosen those, whom they shall have judged in the Lord to be worthy to be exalted to those dignities, in Ireland the Metropolitan of the province, in England and Scotland the Senior Apostolical Vicar shall announce them to the Committee, for the royal approbation or dissent. If the candidates be rejected, others shall be proposed, who may be pleasing to His Majesty: but, if approved, the Metropolitan, or Apostolical Vicar, as above, shall send the act of their election to this sacred congregation, which, having weighed with care the merits of each individual, shall apply to the sovereign Pontiff for canonical institution. We observe, likewise, that it is the office of the said Committee to examine any letters, which are sent to any of the clergy of Great Britain from the ecclesiastical

powers, and diligently to inquire whether any thing be contained therein, which may be obnoxious to the Government, or in any way disturb the public tranquillity. Since communication with the head of the church in spiritual and ecclesiastical concerns is not prohibited, but the inspection of the Committee regards only matters of civil policy, this likewise ought to be acquiesced in. It is good, that the Government should not entertain any suspicion concerning our communications. What we write can be laid open to all; for in no way do we interfere with civil concerns: our attention is directed to those things only, which appear to be required by the divine and ecclesiastical law, and by the salutary regulations of church discipline. Those matters only shall be kept secret, which affect the internal tribunal of conscience; but for this we see it is sufficiently provided by the clauses inserted in the said Bill: and we are well persuaded, that your wise Government, while it is intent on preserving public security, will, by no means, exact that the Catholics should depart from their religion; nay, is rather pleased, that they faithfully adhere to it; for this holy and divine religion is friendly to public authority, gives stability to thrones, and makes subjects obedient, faithful, and emulous of their country's welfare. Nothing, therefore, can be more gratifying and delightful to the Apostolic See, than that between the Government and its Catholic subjects there should exist an entire concord and a mutual confidence; that the Ministers of the State should never be able to doubt their loyalty, obedience, and attachment; and that the Catholics themselves should be devoted to their country with every effort of zeal, candour, and alacrity. We therefore exhort all, in the name of the Lord, and especially the Bishops, to lay aside contention; and, for the edification of others, unanimously to adopt the same sentiments, that there may be no room for schim, nor any injury be done to the Catholic cause: but that, if the Bill shall be passed, by which the Catholics shall be freed from the penal restrictions, by which they are now held, they not only embrace it with entire satisfaction, as has already been said, but express the strongest sentiments of gratitude to His Majesty and his most august Council, for so great a benefit; and, by their conduct, prove themselves worthy of it. In conclusion, we request of your Lordship, that you will cause this letter to be communicated to all the Bishops and Apostolical Vicars in the kingdom: and trusting that they will, promptly and entirely, conform themselves to these things, which, from the power vested in us, have been

decreed. We beseech the Lord God Omnipotent to preserve your Lordship for length of years; and, at the same time, I profess myself bound to you by every consideration, and am,

Your most devoted Servant,

J. B. QUARANTOTTI, Vice President.

MICHAEL ADEODATUS GALEASSI, Substitute.

Given at Rome, from the Chambers of the Congregation for the Propagation of the Faith, 16th February, 1814.

To the Right Rev. WILLIAM POYNTER,
Bishop of Halia, and Vicar Apostolic
of the London District, London.

APPENDIX.

No. III.

Extract from Instructions, under the Sign Manual to Lieutenant-General Sir Geo. Prevost, Bart. as Captain-General and Governor in Chief, in and over the Province of Lower Canada; dated at Carlton House, the twenty-second day of October, 1811, *in the fifty-third year of his Majesty's Reign.* Paragraph 42d.

Whereas the establishment of proper Regulations in matters of Ecclesiastical concern, is an object of very great importance, it will be your indispensable duty to take care, that no arrangements in regard thereto be made, but such as give satisfaction to our new subjects in every point, in which they have a right to any indulgence on that head; always remembering, that it is a toleration of the free exercise of the religion of the Church of *Rome* only, to which they are entitled, but not to the powers and privileges of it, as an Established Church, that being a preference which belongs only to the Protestant Church of *England*.

Paragraph 40. — Upon these principles therefore, and to the end, that our just Supremacy in all matters Ecclesiastical as well as Civil may have its due scope and influence, it is Our will and pleasure: —

1st. — That all Appeals to, or Correspondence with any foreign Ecclesiastical Jurisdiction, of any nature or kind soever, be absolutely forbidden under very severe penalties.

2d. — That no Episcopal or Vicarial powers be exercised within our said Province, by any person professing the Religion of the Church of Rome, but such only, as are essentially and indispensably necessary to the free exercise of the Romish Religion; and in these cases not without a Licence and Permission from you under the seal of our said Province, for and during our will and pleasure; and under such limitations and restrictions, as may correspond with the spirit and provisions of

the Act of Parliament, of the fourteenth year of our Reign, formaking more effectual provision for the Government of Quebec; and no person whatever is to have Holy Orders conferred upon him, or to have the cure of souls, without a license for that purpose first had and obtained from you.

3d.—That no person professing the religion of the Church of Rome be allowed to fill any ecclesiastical benefice, or to have or enjoy any of the rights or profits belonging thereto, who is not a Canadian by birth (such only excepted as are now in possession of any such benefice), and who is not appointed by Us or under Our authority; and that all right or claim of right in any other person whatever, to nominate, present or appoint to any vacant benefice, other than such as may lay claim to the patronage of benefices as a civil right, be absolutely abolished; no person to hold more than one benefice, or at least not more than can be reasonably served by one and the same incumbent.

4thly,—That no person whatever professing the religion of the Church of Rome, be appointed incumbent of any parish, in which the majority of the inhabitants shall solicit the appointment of a Protestant minister; and entitled to all tythes payable within such parish; but nevertheless the Roman Catholics may have the use of the Church for the free exercise of their religion, at such times, as may not interfere with the religious worship of the Protestants; and in like manner the Protestant inhabitants of every parish, where the majority of the parishioners are Roman Catholics, shall notwithstanding have the free use of the Church for the exercise of their Religion, at such times, as may not interfere with the religious worship of the Roman Catholics.

5thly,—That no incumbent professing the Religion of the Church of Rome appointed to any Parish, shall be entitled to receive any tythes for lands or possessions occupied by a Protestant, but such tythes shall be received by such persons as you shall appoint, and shall be reserved in the hands of our Receiver General as aforesaid, for the support of our Protestant Clergy in our said Province, to be actually resident within the same, and not otherwise, according to such directions as you shall receive from us in that behalf; and in like manner all growing rents, or profits of a vacant benefice, shall during such vacancy be reserved for and applied to the like uses.

6thly,—That all persons professing the religion of the Church of *Rome*, who already possessed or may hereafter be appointed to any Ecclesiastical benefice; or who may be licenced to exercise any power or authority in respect thereto, do

take and subscribe before you in Council, or before such person as you shall appoint to administer the same, the Oath required to be taken and subscribed by aforesaid Act of Parliament passed in the 14th year of Our Reign, intituled, « An Act for making more effectual Provisions for the Government of the Province of Quebec in North America. »

7thly.—That all incumbents of parishes professing the Romish religion, not being under the Ecclesiastical Jurisdiction of the Bishops of Quebec, shall hold their respective benefices during their good behaviour, subject however, in any case of any conviction for criminal offence, or upon due proof of seditious attempts to disturb the peace and tranquillity of our Government, to be deprived or suspended by you.

8thly.—That such Ecclesiastics as may think fit to enter into the holy state of matrimony, shall be released from all penalties, to which they may have been subjected in such cases, by any authority of the See of Rome.

9thly.—That freedom of the burial of the dead in the churches and church-yards be allowed indiscriminately to every Christian persuasion.

10thly.—That the Royal Family be prayed for in all churches and places of public worship, in such manner and form as is used in this kingdom; and that our arms and insignia be put up not only in all such Churches and places of holy worship, but also in all Courts of Justice; and that the arms of France be taken down in every such Church or Court, where they may at present remain.

11thly.—That the society of Romish Priests, called the Seminaries of Quebec and Montreal, shall continue to possess and occupy their house of residence, and all other houses and lands to which they were lawfully entitled on the 13th of September, 1759; and it shall be lawful for those societies to fill up the vacancies, and admit new members, according to the rules of their foundation, and to educate youth in order to qualify them for the service of parochial cures, as they shall become vacant. It is nevertheless our will and pleasure, that not only those seminaries but all other religious communities, so long as the same shall continue to be subject to visitation by you, our Governor, or such other person or persons as you shall appoint for that purpose, and also subject to such regulations as you shall, with the advice and consent of the said Executive council think fit to establish and appoint.

12thly.—It is our will and pleasure, that all other religious seminaries and communities (that of the Jesuits only excepted)

do for the present, and until we can be more fully informed of the true state of them, and how far they are, or are not essential to the free exercise of the religion of the Church of Rome, as allowed within our said province, remain upon their present establishment—but you are not to allow the admission of any new members into any of the said societies, (the religious communities of women only excepted,) without our express orders for that purpose:—That the Society of Jesuits be suppressed and dissolved, and no longer continued as a body corporate or politic, and all their rights, possessions, and property, shall be vested in us, for such purposes as we may hereafter think fit to declare our Royal intention to be:—That the present members of the said society, as established in Quebec, shall be allowed sufficient stipends and provisions during their natural lives;—That all Missionaries amongst the Indians, whether established under the authority of or appointed by the Jesuits, or by any other ecclesiastical authority of the Romish Church, *be withdrawn by degrees*, and at such times and in such manner as shall be satisfactory to the said Indians, and consistent with the public safety, *and Protestant Missionaries appointed in their places*;—That all ecclesiastical persons whatever of the church of *Rome* be inhibited, upon pain of deprivation, from influencing any person in the making of a will; from inveigling Protestants to become Papists, or from tampering with them in matters of religion; and the Romish Priests to be forbidden to inveigh in their sermons against the religion of the church of *England*.

APPENDIX.

N°. IV.

Dilectis filiis universis catholicis in Belgio Batavo commorantibus.

PIUS PAPA SEPTIMUS DILECTI FILII SALUTEM ET APOSTOLICAM BENEDICTIONEM.

Inter maximas, quæ undiquè ad nos mittuntur pro felici faustoque nostro ad sedem apostolicam reditu gratulationes: dum solemnes ubiquè gratiæ Deo O. M. aguntur, quod sævissimam illam, quæ non ecclesiam modo, sed totam prorsus Europam obrutura videbatur, tempestatem sedaverit: in mediis catholicorum episcoporum officiis, quibus obseqnium, et obedientiam nobis suam certatim testantur: ecce ingratissimæ Willibrordi Van Os litteræ nobis redduntur, quibus se in archiepiscopatum Ultrajectensem electum die decimo februarii hujus anni, et quod longè gravius est, die 24 aprilis à Gisberto de Jong Daventriensi inter suos nuncupato episcopo consecratum fuisse nobis impudentissimè significare ausus est. Luctuosus hujus modi nuncius acerbissimam Ultrajectensis schismatis memoriam refricavit, et infelicem tot laborum exitum quibus illud extinguere summi pontifices predecessores nostri, nosque ipsi plus unâ vice conati sumus, in mentem intimo eâ re dolore perculsam reduxit. Quod autem Willibrordi facinus nullo pacto per se ferendum vehementissimè auget, est callidus ille, fucatusque scribendi modus, quo veteratorum sui similium consuetas artes imitatus, aut fallere nos, aut saltem demulcere aggressus est. Suum enim erga sanctam hanc sedem obsequium, suamque in nos venerationem officiosis, conceptisque verbis profitetur, ad nostros denique pedes provolutus apostolicam à nobis benedictionem efflagitat. Inter has autem inanium verborum blanditias apostolicæ sedis jura factis conculcat, sacrarum legum sanctiones apertè violat, venerandam ecclesiæ disciplinam nefariè corrumpit, et irrogatas toties sui similibus eamdem ob causam pænas procacissimè aspernatur.

Quæ cum ita sint, apostolico, quo immerentes fungimur, muneri nimis deesse merito videremur, si Willibrordi scelus, illorum, qui suppetias in eo patrando illi tulerunt, sceleribus cumulatum sileremus, et inultum abire pateremur. Ex hâc igitur apostolicæ sedis speculâ vocem juxta illud *clama ne cesses* attolimus, vobisque, dilecti filii, in quorum conspectu hæc tam indignè facta, non sine vestrâ procul dubio execratione contigerunt, universæque simul ecclesiæ, auctoritate divinitus nobis demandatâ declaramus atque decernimus, tam electionem ejusdem Willibrordi Van Os in archiepiscopum Ultrajectensem illicitam, irritam, ac nullam, quam ejus consecrationem esse illegitimam ac sacrilegam, contraque sacrarum legum sanctionem factam : memoratumque Gisbertum de Jong consecratorem, et ipsum Willibrordum Van Os electum, electum consecratumque, omnesque eos qui partem in nefariâ electione habuerunt ; quique tam electioni, quam consecrationi opem, operam, consensum, consiliumque quomodolibet præstiterunt, excommunicamus, anathematizamus, atque ab ecclesiæ communione segregatos, et prorsus schismaticos habendos, et vitandos esse pronunciamus, constituimus, et mandamus : præterea dictum Van Os declaramus ab omni exercitio eorum, quæ juresdictionis sunt, et quæ ordinis esse suspensum eidemque idcircò interdicimus sub pænâ excommunicationis ipso facto, sinè ullâ declaratione incurrendæ, ne ullo pacto chrisma conficere, sacramentum confirmationis conferre, clericos ordinare, aut alia quæcunque sunt episcopalis ordinis, exercere valeat, decernentes insuper vacuos, inanes, nulliusque roboris prorsus, ac momenti omnes et singulos alios actùs, quos attentare præsumpserit. Qui verò ab ipso ecclesiasticis ordinibus initiati fuerint, noverint suspensionis vinculo se obstrictos esse, atque irregularitati propterea obnoxios, si susceptos ordines exercuerint.

Inviolabilis ecclesiæ catholicæ unitas indubitata, sedis apostolicæ jurisdictio, sacrarum legum, disciplinæque ecclesiasticæ à novatorum ausibus vindicandæ studium ad hanc in Willibrordum Van Os, ejusque socios animadversionem nos adegerunt. Quantò libentiùs eos, si facti sui pœnitentes inconsutilem Christi vestem lacerare desinerent, apostolicis gratiis cumularemus! Quod esset nostrum gaudium si devias ab ovili oves reducere, et exitiosos quibus miserè laborant morbos sanare nobis contingeret ! Hoc à cœlesti pastorum Principe assiduè petimus, hoc ipsum, dilecti filii, ab eodem petitote, ut scilicet refractariorum hominum mentes illustret, obstinatam voluntatem flectat, induratum cor molliat, atque ad catholicam

veritatem denique amplectendam inclinet. Interim, dilecti filii, eos diligenter cavete, ipsorumque societatem respuite. Id vos, pro vestrâ erga nos, et sanctam hanc sedem fide, ac reverentiâ sedulo facturos rati, apostolicam vobis ipsis benedictionem permanenter impertimur. Datum Romæ apud S. Mariam Majorem sub annulo piscatoris die 7 septembris 1814. Pontificatûs nostri anno decimoquinto.

DOMINICUS TESTA.

Anno à nativitate D. N. J. C. 1814 indictione 2 die verò 7 Septembris, Pontificatûs sanctissimi in Christo patris, et D. N. Domini Pii, divinâ providentiâ Papæ VII. Anno decimoquinto supradicto litteræ apostolicæ affixæ et publicatæ fuerunt ad valvas ecclesiæ Lateranen. et basilicæ Principis apostolorum cancellariæ apostolicæ, curiæ generalis in monte citatorio, et in acie campi Floræ, ac aliis locis solitis et consuetis urbis per me Stephanum Pozzi apostolicum cursorem.

FELIX CASTELLACCI, Mag. Curs.

Romæ MDCCCXIV. apud Franciscum et Felicem Lazzarini.

APPENDIX.

N°. IV.

To all our beloved Catholic Children residing in Holland.

POPE PIUS THE SEVENTH.

Beloved Children, Health and the Apostolical blessing unto ye.

AMONGST the warmest Congratulations, which are sent to us from all parts upon our happy and prosperous return to the Apostolic see; whilst solemn thanksgivings are every where offered up to the great and good God for having appeased that most furious storm, which seemed ready not only to overwhelm the church, but all Europe: in the midst of the attentions of Catholic Bishops, by which they eagerly testify their service and obedience to us; behold a most unwelcome letter from Willebrord Van Os has been delivered to us; by which he has most insolently dared to apprize us, that he had been elected Archbishop of Utrecht on the tenth day of (1) February in this very year, and what is still more grievous, that he was on the 24th day of April consecrated by Gisbert de

(1) Not being apprized of the length of time, during which the vacancy of the pretended see of Utrecht had been vacant, when his Holiness quitted Fontainebleau on the 23d of Jan. 1814, it appears not unlikely, that similar precipitancy was used to force this election before his Holiness's arrival at Rome, as well as to procure the issuing of the rescript, on the 16th of the same month, upon which I have remarked in the foregoing letter.

Yong, who assumes amongts his own people the title of Bishop of Daventry. This afflicting communication revived the most bitter remembrance of the Utrecht schism, and brought back to my mind, which had been intimately pierced with griefon that score, the unhappy issue of so many labours of our predecessors, and our own efforts, by which we have more than once endeavoured to extinguish it. But what most vehemently aggravates the crime of Willebrord, in itself intolerable, is, that artful and insidious stile of writing, in which imitating the hackneyed artifices of his predecessors or fellows, he has attempted to deceive or to coaks us. He professes in complimentary and studied terms his obsequiousness, towards this see, and his personal veneration for us, and in fine casting himself at our feet, he craves of us the Apostolical benediction. But in the midst of the flattery of these empty words, by his deeds he tramples on the rights of this see, he openly violates the sanctions of the holy laws, he wickedly corrupts the venerable discipline of the church, and most insolently contemns the punishments so often imposed upon like delinquents for the same cause.

Under these circumstances, we should deservedly appear to be too wanting to the Apostolic duty, which, however unworthy, we are discharging, if we were to suffer to pass in silence and with impunity the crime of Willebrord, still aggravated by the crimes of those, who by supplying him the means have been accessary to his commission of it. From the beacon therefore of this holy see we raise our voice, according to that, *cry aloud, spare not*, and to you beloved children, in whose sight these things so shamefully committed have happened, unquestionably not without your execration, and at the same time to the universal church, committed unto us, by the divine Authority, we declare, and decree as well, that the election of the said Willebrord Van Os to be Archbishop of Utrecht, was unlawful, void and null, as that his consecration was unlawful and sacrilegious, and made against the Authority of the sacred laws; and we excommunicate and amathematize the before-named Gisbert de Yong the consecrator, and the said Willebrord Van Os the elected and consecrated, and all those, who took any part in the said wicked election, and who in any manner gave their aid, consent or advice to forward the said election and consecration; and to pronounce, constitute and ordain, that they be separated from the communion of the church, and holden

to be downright schismatics, and as such to be avoided. Besides we declare the said Van Os to be suspended from the exercise of any thing, which belongs to jurisdiction, and to order; and we therefore enjoin him under pain of excommunication, *ipso facto* (instantly and without sentence) without any declaration, that it will be incurred, not upon any account to prepare the holy oils (chrism), not to confer the sacrament of confirmation, not to ordainc lerks, or to dare to exercise (or perform) any act, which depends upon the Episcopal order: decreeing moreover all and singular other such acts, which he may presume to attempt, to be invalid, void and of no efficacy or consequence at all. But if any persons should be by him initiated into sacred Orders, let them know, that if they exercise the Orders they may have received, they are thereby brought under the bond of suspension, and liable to irregularity on that account.

The inviolable unity of the Catholic Church, the undisputed jurisdiction of the Apostolical See, and the desire of defending the holy laws and Ecclesiastical discipline against the assault of innovators, have forced us to this punishment of Willebrord Van Os, and his abbetors. How much more joyfully should we load them with Apostolic blessings, if repenting of their deed, they would cease to rend the seamless garment of Christ! What would our joy be, if it fell to our lot, to bring back the sheep strayed from the fold, and to heal the deadly diseases, under which they miserably labour. This we unceasingly implore from the heavenly chief of all Pastors, this same thing do we. my beloved children, ask also of him, that he may enlighten the minds of the refractory, that he may bend their stubborn will, soften their hardened heart, and in fine dispose them to embrace the Catholic truth. In the mean while, beloved children, be diligently aware of them, and avoid their society. Presuming, that you will faithfully comply with this from your faith and reverence towards this holy see, we continually impart to you the Apostolic blessing. Given at Rome at St. Mary Major's, under the fisher's seal, on the 7th day of September 1814, in the 15th year of our Pontificate.

DOMINICUS TESTA.

In the year from the nativity of our Lord Jesus Christ, 1814. Indict. 2; and on the 7th of September, and in the 15th year of the Pontificate of our most Holy father in Christ and our Lord

Pius VII. by divine Providence Pope, the above Apostolic letter was affixed and published at the doors of the Lateran Church, and of the Church of the Prince of Apostles, of our Apostolic Chancery, of our General Court on the Citation hill, and in the front of the field of Flora, and in the other usual and ordinary places of this city, by me Stephen Pozzi, Apostolic Cursitor.

FELIX CASTELLACCI, Great Cursit.

At Rome, M,DCCC,XIV.
at Francis and Felix Lazzarini.

PARIS: Printed at the English Press, by NOUZOU, 9 Rue Clery.